

# EXHIBIT 6

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

JOSEPH WOLF, CARMEN WOLF, ON )  
BEHALF OF THEMSELVES AND THOSE )  
SIMILARLY SITUATED, )  
Plaintiffs, )Case No.  
7:23-cv-00558-PMH  
v. )  
DOLLAR GENERAL CORPORATION, )  
DOLGEN NEW YORK, LLC D/B/A )  
DOLGEN, DOLGENCORP OF TEXAS, )  
INC., INDIVIDUALLY, JOINTLY, )  
SEVERALLY, OR IN THE )  
ALTERNATIVE, )  
Defendants. )  
\_\_\_\_\_ )

Confidential Videotaped Deposition of:

CONNIE DROGE

Taken on behalf of the Plaintiffs

January 31, 2024

-----  
ALPHA REPORTING  
A VERITEXT COMPANY  
One Vantage Way, Suite D-115  
Nashville, Tennessee 37228  
(615) 244-4812  
www.alphareporting.com

1 APPEARANCES:

2 For the Plaintiffs: ADAM A. EDWARDS, ESQ.  
3 Milberg Coleman Bryson Phillips  
4 Grossman, LLC  
5 800 South Gay Street  
6 Suite 1100  
7 Knoxville, Tennessee 37929  
8 (865) 247-0080  
9 Aedwards@milberg.com

10 JAVIER MERINO, ESQ. (Zoom)  
11 Dann Law Firm  
12 1520 US Highway 130  
13 Suite 101  
14 North Brunswick, New Jersey  
15 08902  
16 (201) 355-3440  
17 Jmerino@dannlaw.com

18 For the Defendants: R. TRENT TAYLOR, ESQ.  
19 McGuireWoods, LLP  
20 800 East Canal Street  
21 Richmond, Virginia 23219  
22 (804) 775-1000  
23 Rtaylor@mcguirewoods.com  
24  
25

Also Present: David Drumel, Videographer  
Jason Bates, Esq.

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1           The videotaped deposition of CONNIE DROGE  
2           was taken by counsel for the Plaintiffs, at the  
3           offices of Holland & Knight, LLP, Nashville City  
4           Center, 511 Union St., Suite 2700, Nashville,  
5           Tennessee, on January 31, 2024 at 10:09 a.m. for  
6           all purposes under the Federal Rules of Civil  
7           Procedure.

8           It is agreed that Rhonda S. Nicholson,  
9           being a licensed stenographic court reporter and  
10          notary public for the State of Tennessee, may  
11          swear the witness, and that the reading and  
12          signing of the completed deposition by the witness  
13          were not waived.

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\* \* \* P R O C E E D I N G S \* \* \*

THE VIDEOGRAPHER: Good morning.

We're going on the record at 10:09 a.m. on January 31, 2024. Please note that the microphones are sensitive and may pick up whispering and private conversations. Please mute your phones at this time. Audio and video recording will continue to take place unless all parties agree to go off the record.

This is Media Unit 1 in the video-recorded deposition of Connie Droge taken by counsel for the plaintiff in the matter of Wolf, et al., versus Dollar General, et al., filed in the United States District Court for the Southern District of New York, Case Number 7:23-cv-00558-PMH.

This deposition is being held at Holland & Knight located at 511 Union Street in Nashville, Tennessee. My name is David Drumel -- I'm the videographer -- with Veritext. The court reporter is Rhonda Nicholson.

Counsel, please state your appearances for the record, which will then be followed by the swearing of the witness by the court reporter.

1 MR. EDWARDS: Adam Edwards for the  
2 plaintiffs in the proposed class, Milberg Law.

3 MR. TAYLOR: Trent Taylor with  
4 McGuireWoods on behalf of the witness and Dolgen  
5 New York, LLC.

6 MR. BATES: Jason Bates. I'm  
7 in-house counsel for Dollar General.

8 MR. MERINO: And I'm Javier Merino,  
9 co-counsel for plaintiffs and the punitive class.

10 THE STENOGRAPHER: All right. Could  
11 you raise your right hand? Do you swear that the  
12 testimony you're about to give shall be the truth,  
13 the whole truth and nothing but the truth, so help  
14 you God?

15 THE WITNESS: I do.

16 CONNIE DROGE  
17 was called as a witness, and after having been  
18 first duly sworn, testified as follows:

19 EXAMINATION

20 BY MR. EDWARDS:

21 Q. Good morning, Ms. Droge.

22 A. Good morning.

23 Q. We just met and introduced ourselves.  
24 Could you go ahead and state your full name for  
25 the record, please.

1 A. Connie Victoria Droge.

2 Q. Okay. Is it Ms. or Mrs. Droge?

3 A. Ms.

4 Q. Ms. Okay. Again, my name is Adam  
5 Edwards. I represent the plaintiffs in this  
6 matter along with co-counsel. You understand that  
7 the oath you just took is the same as if you were  
8 testifying in court today?

9 A. Yes.

10 Q. Okay. Is there anything that would  
11 prevent you from giving honest answers today?

12 A. No.

13 Q. Okay. Have you taken a -- or have you had  
14 your deposition taken before?

15 A. Yes.

16 Q. How many times?

17 A. One time.

18 Q. How long ago?

19 A. I don't recall specifically. It was a few  
20 years ago.

21 Q. Okay. What type of case?

22 A. It was an age discrimination case.

23 Q. Do you recall what state that case was  
24 pending in?

25 A. I don't.



1 Q. Did you give your deposition here in  
2 Nashville?

3 A. I did.

4 Q. Okay. Do you recall the name of the  
5 plaintiff in that case, either first or last?

6 A. I don't.

7 Q. Okay. Male or female?

8 A. It was male.

9 Q. And he was terminated?

10 A. I don't recall the details -- it was  
11 several years ago -- around the case.

12 Q. Okay. Do you recall if you were  
13 testifying as a corporate representative for  
14 Dollar General?

15 A. Yes.

16 Q. Okay. And that's the only time that  
17 you've ever given a deposition?

18 A. Yes.

19 Q. Okay. Have you ever testified in court?

20 A. No.

21 Q. In any type of case?

22 A. No.

23 Q. I'm going to be asking you a number of  
24 questions today, and inevitably I will ask a  
25 confusing question from time to time.

1           What I don't want is that I ask a  
2           confusing question and you attempt to answer it  
3           not exactly knowing what I'm intending with my  
4           question. So if I ask a confusing question,  
5           please just ask me to rephrase. You're not going  
6           to hurt my feelings. Can we agree to that?

7           A.        Yes.

8           Q.        Okay. The other thing that's important  
9           is -- and -- and counsel sitting across from me is  
10          probably going to be making objections from time  
11          to time, and there will be occasions where you  
12          feel like you know what I'm getting at before my  
13          entire question gets out.

14          So we can help the court reporter to make  
15          a clear record -- let's both make the effort to  
16          allow the other to finish before we jump in  
17          with -- with our -- either another question on my  
18          behalf or an answer from you. Can we agree to  
19          that?

20          A.        Yes.

21          Q.        All right. In other words, let's try not  
22          to talk over each other. Okay?

23          A.        Yes.

24                   MR. TAYLOR: And real quick, if I can  
25          just put something on the record.

1 MR. EDWARDS: Yeah.

2 MR. TAYLOR: So this deposition and  
3 the exhibits are subject to the protective order  
4 that has been entered in this case, and we will  
5 make the appropriate confidentiality designations  
6 pursuant to that protective order, which is number  
7 one.

8 Number two, I just wanted to note  
9 that it is our position that the third-party  
10 witness here today is entitled to some nominal  
11 compensation pursuant to 28 U.S.C. 1821. We will  
12 likely be sending you some correspondence on that  
13 after today's deposition, referring to that and  
14 asking for that nominal compensation, but we can  
15 deal with that later. I just wanted to put that  
16 on the record here today.

17 MR. EDWARDS: Okay.

18 BY MR. EDWARDS:

19 Q. The final thing I was going to remind you  
20 of -- and I'm sure you've heard this from counsel  
21 across the table. If you need to take a break  
22 today at any time, just ask, and we can take a  
23 break. I usually take at least one break per  
24 hour. But what I would ask, though, is that you  
25 not ask to take a break with a pending question.

1 Is that understood?

2 A. Yes.

3 Q. Okay. Are you represented by counsel at  
4 this deposition?

5 A. Yes.

6 Q. Who?

7 A. Trent Taylor.

8 Q. Okay. And when was he retained?

9 A. Yesterday.

10 Q. Did you sign any sort of written document?

11 A. No.

12 Q. Okay. Are you paying Mr. Taylor hourly  
13 for his services?

14 A. No.

15 Q. Okay. Are you compensating Mr. Taylor in  
16 any way for his services in representing you?

17 A. No.

18 Q. Okay. So your understanding is that  
19 Mr. Taylor is representing you for no charge here  
20 today?

21 MR. TAYLOR: Objection. Form.

22 BY MR. EDWARDS:

23 Q. Is that your understanding?

24 MR. TAYLOR: Objection. Form.

25 BY MR. EDWARDS:

1 Q. So when he objects to the form, that means  
2 you go ahead and answer.

3 MR. TAYLOR: Sorry.

4 BY MR. EDWARDS:

5 Q. You --

6 A. Oh, I'm sorry.

7 Q. You -- you -- you go ahead and answer  
8 unless he specifically instructs you not to  
9 answer, and then --

10 A. I am --

11 Q. -- we'll have a conversation about that.

12 A. I am uncertain how he's being paid.

13 Q. Okay. Understood. But you're certain you  
14 are not paying him anything out of your pocket?

15 A. Yes.

16 Q. Okay. Did you do anything to prepare for  
17 this deposition today?

18 A. Yes.

19 Q. What did you do?

20 A. We chatted yesterday.

21 Q. By "we," who do you mean?

22 A. Myself and Trent.

23 Q. Okay. You chatted. Where at?

24 A. We met at Dollar General.

25 Q. Okay. Here in Nashville?

1 A. Yes.

2 Q. Okay. And for how long did you chat?

3 A. I don't -- I don't remember specifically.  
4 It was a few hours.

5 Q. A few hours. Okay. Like more than five  
6 hours?

7 A. I -- I can't recall specifically.

8 Q. Okay.

9 A. It was a few hours.

10 Q. Do you think it was more than three hours?

11 A. I think so. Yes.

12 Q. Okay. And did you look at documents  
13 during that meeting?

14 A. Yes.

15 Q. Which documents did you look at?

16 A. Like -- I don't remember which ones. I'm  
17 happy to show you if you want to show me  
18 documents, but we looked at a few documents.

19 Q. Okay. By "a few," do you -- give me  
20 what -- an idea of what you mean when you say "a  
21 few" because sometimes that means different things  
22 to different people.

23 A. It could have been somewhere around five  
24 or six. Maybe a few more. I don't recall  
25 specifically.

1 Q. Understood. Can you tell me what type of  
2 documents they were? Were they e-mails, charts?

3 A. They were e-mails.

4 Q. E-mails. Okay. E-mails to or from you?

5 A. I think most of them were not from me.

6 Q. Okay. But e-mails where you saw your name  
7 as a recipient?

8 A. Yes.

9 Q. Okay. And what did -- what was the  
10 subject matter of the e-mails, if you recall?

11 A. Compliance.

12 Q. Okay. What aspect of compliance?

13 MR. TAYLOR: Objection. Form. You  
14 can answer. You can answer.

15 THE WITNESS: Sorry. It was --  
16 compliance at Dollar General meant many things.  
17 So they were pretty broad e-mails around  
18 compliance in general.

19 BY MR. EDWARDS:

20 Q. Okay. Throughout your meeting with  
21 Mr. Taylor for a few hours, did you gain an  
22 understanding of what this lawsuit is about?

23 MR. TAYLOR: Objection. Form. You  
24 can answer.

25 THE WITNESS: No.

1 BY MR. EDWARDS:

2 Q. Okay.

3 A. No.

4 Q. Right. You --

5 A. Yes.

6 Q. Okay. Well, let me -- let me ask you a  
7 broader question. Do you have any idea what this  
8 lawsuit is about?

9 MR. TAYLOR: Objection. Form. You  
10 can answer.

11 THE WITNESS: I don't know the  
12 details.

13 BY MR. EDWARDS:

14 Q. Understood. And I'm not looking for  
15 details. I'm just wondering if you know -- do you  
16 have any understanding of what the plaintiffs  
17 allege Dollar General may have done wrong here?

18 A. Something around pricing, but I don't -- I  
19 don't know what the allegations are.

20 Q. Okay. So you don't know anything about  
21 the lawsuit more than it involves something about  
22 the pricing?

23 A. Correct.

24 Q. Okay. Were you shown a copy of the  
25 complaint in this case?



1 A. No.

2 Q. Do you know when this lawsuit was filed?

3 A. No.

4 Q. Do you know where this lawsuit is pending?

5 A. No.

6 Q. You don't know what state this lawsuit  
7 concerns?

8 A. I believe it is New York.

9 Q. Okay. Other than five or six e-mails, did  
10 you look at any other documents?

11 A. Not that I can recall.

12 Q. Okay. Did you while you were working at  
13 Dollar General come to understand that Dollar  
14 General was dealing with an issue involving  
15 pricing accuracy?

16 MR. TAYLOR: Objection. Form. You  
17 can answer.

18 THE WITNESS: I'm sorry. I don't  
19 think I understood your question.

20 BY MR. EDWARDS:

21 Q. While you were employed at Dollar General,  
22 before you left, did you come to understand that  
23 Dollar was -- Dollar General was attempting to  
24 deal with an issue involving pricing accuracy?

25 MR. TAYLOR: Same objection. You can

1 answer.

2 THE WITNESS: There were -- price  
3 accuracy issues bubbled up from time to time. And  
4 when they did during my time there, we addressed  
5 them immediately.

6 BY MR. EDWARDS:

7 Q. Okay. Do you feel like Dollar General  
8 addressed the pricing issues, to use your phrase,  
9 immediately in this case, we'll say, within the  
10 last three years?

11 MR. TAYLOR: Objection. Form. You  
12 can answer.

13 THE WITNESS: Are you talking  
14 specifically about anything in New York? Because  
15 I really don't know anything about New York. It  
16 wasn't my area of responsibility.

17 BY MR. EDWARDS:

18 Q. Well, I'm talking about pricing issues  
19 generally. And -- and first of all --

20 A. Yeah.

21 Q. -- why don't we get on the same page  
22 and -- and -- and decide what I -- what I mean  
23 when I say pricing accuracy or pricing issues.  
24 That may help us. I'm referring to prices that  
25 the consumers would be exposed to on the shelves

1 not matching up with the prices at the register.

2 Are we on the same page there?

3 A. Yes.

4 Q. Okay. And when I refer to overcharging,  
5 I'm referring to a situation where the ring-up or  
6 point-of-sale price at the register is higher than  
7 the price reflected on the shelves. Are we on the  
8 same page there?

9 A. Yes.

10 Q. Okay. So you told me that whenever  
11 pricing issues bubbled up while you were employed  
12 at Dollar General, Dollar General dealt with them  
13 immediately. Is that your -- is that your  
14 testimony?

15 A. Yes.

16 Q. Okay. And so you're aware that Dollar  
17 General over the last three years has been dealing  
18 with pricing issues or overcharging.

19 MR. TAYLOR: Object --

20 BY MR. EDWARDS:

21 Q. Is that accurate?

22 MR. TAYLOR: Objection. Form. You  
23 can answer.

24 THE WITNESS: Yeah. I don't know the  
25 specifics on the pricing issues. There were

1 things that were brought to my attention. And  
2 when they were, we took immediate action.

3 BY MR. EDWARDS:

4 Q. Okay. What was the immediate action that  
5 was taken over the last three years to address the  
6 pricing issues?

7 MR. TAYLOR: Objection. Form. You  
8 can answer.

9 THE WITNESS: Goodness. There  
10 were -- you know, I -- I don't recall all of the  
11 steps, but there were a lot of things that were  
12 done over the course of three years at Dollar  
13 General to ensure prices were accurate.

14 BY MR. EDWARDS:

15 Q. Okay.

16 A. The goal was always to be a hundred  
17 percent accurate. That was the goal that we had  
18 for ourselves.

19 Q. Understood. And we're going to talk about  
20 some of those things as we go through some of the  
21 documents in this case.

22 Do you know that any one of those steps  
23 taken by Dollar General was, in fact, effective at  
24 eliminating the overcharging to consumers?

25 MR. TAYLOR: Objection. Form. You

1 can answer.

2 THE WITNESS: Again, I don't -- I  
3 don't know the specifics. So I'm not sure how  
4 you're defining "effective."

5 BY MR. EDWARDS:

6 Q. I mean, was the over -- you told me that  
7 over -- or pricing issues bubbled up from time to  
8 time at Dollar General?

9 A. Uh-huh.

10 Q. And then they were dealt with, correct?

11 A. That's right. Correct.

12 Q. And by dealt with, I assume that you mean  
13 that the pricing accuracy issues were resolved; is  
14 that -- is that fair?

15 A. Yes.

16 Q. Okay. Were the pricing accuracy issues of  
17 Dollar General resolved by the time you left  
18 Dollar General?

19 MR. TAYLOR: Objection. Form. You  
20 can answer.

21 THE WITNESS: Yes. In -- in the  
22 situations that were brought to my attention.  
23 Yes.

24 BY MR. EDWARDS:

25 Q. Okay. What do you mean when you say "in

1 the situations brought to your attention"?

2 A. When things would -- so a store manager is  
3 responsible for pricing in their stores, and the  
4 district managers are responsible to make sure the  
5 store managers are doing their jobs.

6 If there was a breakdown and that was  
7 ever shared with me, there was steps taken to make  
8 sure that that store-specific pricing concern was  
9 remediated very quickly, and we had follow-up and  
10 accountability around that.

11 Q. I see. Did you ever -- were you ever made  
12 aware of a root cause or causes of the -- the  
13 pricing accuracy issues that Dollar General dealt  
14 with over the last three years?

15 MR. TAYLOR: Objection. Form. You  
16 can answer.

17 THE WITNESS: Yeah. I can't  
18 specifically say. I think there was lots of  
19 reasons that there could have been a concern with  
20 price accuracy.

21 BY MR. EDWARDS:

22 Q. What do you mean when you say "there could  
23 have been a concern"? Was there or was there not  
24 a concern with pricing accuracy?

25 MR. TAYLOR: Objection. Form. You

1 can answer.

2 THE WITNESS: There were -- in  
3 situations that were brought to my attention,  
4 there were some situations where there was a  
5 concern.

6 BY MR. EDWARDS:

7 Q. Okay. And sitting here today, do you  
8 recall what the root cause of any of these pricing  
9 issues were?

10 MR. TAYLOR: Objection. Form. You  
11 can answer.

12 THE WITNESS: Again, I don't know all  
13 of the root causes. I can tell you  
14 specifically -- like one thing I remember is like  
15 customers removing price tags and, you know,  
16 taking stickers off with them. And so that would  
17 have caused a price accuracy error. That's just  
18 one thing that comes to mind.

19 BY MR. EDWARDS:

20 Q. All right. Let's talk about that.  
21 Customers removed pricing labels on the shelf?

22 A. Uh-huh.

23 Q. Okay. And replaced it with what? I -- I  
24 don't understand. How does that work?

25 A. Well, they didn't replace it necessarily

1 with anything. We had like advertised signs, and  
2 they peeled off. They were like adhesive. So you  
3 just could take them off. And then also our  
4 stickers, when you change labels, they'd peel off.

5 And so many times they were peeled off,  
6 showing a price that might not be right. And  
7 customers did it for various reasons. Sometimes  
8 they would take it to the register with them or --  
9 I don't know why. They would take -- sometimes  
10 children would just walk the aisles and pull signs  
11 down.

12 Q. I see. So sitting here today, the --  
13 the -- you told me about a root cause that appears  
14 to be the fault of the consumer, right?

15 A. No. Not necessarily. That's just one  
16 thing that I remember.

17 Q. Okay. Do you remember others?

18 A. I don't know what the specific root cause  
19 to discrepancies in pricing were. I -- I couldn't  
20 tell you the specific root cause.

21 Q. Okay. But that's the only one that comes  
22 to mind today, that one involving the consumer?

23 MR. TAYLOR: Objection. Form. You  
24 can answer.

25 THE WITNESS: Yeah. You know, in



1       2022, there were more price changes due to, you  
2       know, inflation, and so we were taking more  
3       prices -- more adjustments. So, you know --  
4       again, Dollar General had really good measures in  
5       place to ensure all the work was done and came up  
6       with some measures that were really what I felt  
7       like above and beyond to make sure prices were  
8       accurate.

9       BY MR. EDWARDS:

10      Q.       So in 2022, you feel like Dollar General  
11      took measures which you consider to be above and  
12      beyond to ensure accurate pricing?

13      A.       Yes.

14      Q.       What do you mean by "above and beyond"?

15      A.       I mean, there were lots of things that we  
16      did to audit prices internally to make sure that  
17      execution was great. So I was responsible for  
18      execution in the stores, and there were a lot of  
19      disciplines and a lot of rigor to make sure that  
20      the prices were accurate.

21      Q.       But my question, though, was: What do you  
22      mean when you say "above and beyond"?

23      A.       So, for example, our district managers had  
24      to conduct a compliance visit every single quarter  
25      in every single store. That was what I would call

1 an above-an-beyond tactic. One of many.

2 Q. You're giving me examples of actions, but  
3 I'm -- I'm asking you specifically -- I -- I --  
4 I'm not sure what you mean by the --

5 A. Oh.

6 Q. -- phrase "above and beyond" in this  
7 context.

8 A. I -- I feel like in my experience in  
9 retail for 25-plus years -- I have not seen  
10 measures taken that broadly to make sure prices  
11 were accurate. So for me, like I feel like the  
12 effort exceeded what would be normal.

13 Q. I see. And were those efforts in 2022  
14 successful, in -- in your mind, in terms of  
15 alleviating the pricing accuracy issues that  
16 Dollar General was dealing with?

17 MR. TAYLOR: Objection. Form. You  
18 can answer.

19 THE WITNESS: You know, again, I'm  
20 not the expert. I think -- in my experience,  
21 there were less concerns bubbling up, and so I do  
22 think it -- they were effective tactics.

23 BY MR. EDWARDS:

24 Q. Okay. What, in your mind, is an  
25 acceptable overcharging or pricing discrepancy

1 rate in a Dollar General store?

2 MR. TAYLOR: Objection.

3 BY MR. EDWARDS:

4 Q. Let's -- let's say that a hundred products  
5 are price checked. Is there an acceptable rate  
6 of -- where the price on the shelf is less than  
7 the register price?

8 MR. TAYLOR: Objection. Form. You  
9 can answer.

10 THE WITNESS: Yeah. I can tell you  
11 that Dollar General always strove to be a hundred  
12 percent with prices, and sometimes we fell short.

13 BY MR. EDWARDS:

14 Q. Understood. But my question is: Is there  
15 an acceptable percentage, error percentage, in  
16 terms of pricing accuracy?

17 A. Yeah. I -- I can't really --

18 MR. TAYLOR: Objection. Form.

19 THE WITNESS: -- speak to that. I  
20 don't know. I really don't know.

21 BY MR. EDWARDS:

22 Q. All right. I mean, in your mind --  
23 what -- what was your position at Dollar General  
24 when you left?

25 A. Senior vice president of stores.

1 Q. Okay. So as senior vice president of  
2 stores, are you telling me that anything less than  
3 100 percent accuracy is unacceptable --

4 MR. TAYLOR: Objection. Form.

5 BY MR. EDWARDS:

6 Q. -- as far as pricing accuracy?

7 A. I can say we always strove --

8 MR. TAYLOR: Same objection. Go  
9 ahead.

10 THE WITNESS: -- to be a hundred  
11 percent, but sometimes we fell short.

12 BY MR. EDWARDS:

13 Q. Okay. And what I'm asking you is: Is  
14 there a certain percentage that is acceptable --  
15 like is it -- is it acceptable if 5 percent of the  
16 products are, you know, overpriced --

17 MR. TAYLOR: Objection.

18 BY MR. EDWARDS:

19 Q. -- or 2 percent or 10 percent? Is there  
20 anything like that?

21 A. You know --

22 MR. TAYLOR: Objection. Form.

23 THE WITNESS: -- I really --

24 MR. TAYLOR: Wait. Wait a second.

25 Wait. Objection. Form. You can answer.

1 THE WITNESS: I don't really have an  
2 opinion on that.

3 BY MR. EDWARDS:

4 Q. Okay. So you did tell me that the stores  
5 always strive for a hundred percent accuracy, the  
6 Dollar General stores, correct?

7 A. Yes.

8 Q. Okay. Why is that?

9 A. That was always the expectation we had for  
10 ourselves.

11 Q. Why?

12 A. Because we always expected a hundred  
13 percent execution. My -- my role was around  
14 execution of process.

15 Q. Okay.

16 A. And like all other processes, we always  
17 expected a hundred percent execution.

18 Q. You execute a goal, right?

19 A. Yes.

20 Q. Okay. Why was it Dollar General's goal to  
21 be at a hundred percent pricing accuracy?

22 A. That was just the expectation. I can't  
23 tell you why. I --

24 Q. Okay.

25 A. You don't have an opinion as the former

1 senior vice president of stores for Dollar General  
2 on why it would be important for the prices on the  
3 shelf to match up with the prices at the register?

4 MR. TAYLOR: Objection. Form. You  
5 can answer.

6 THE WITNESS: I don't have an opinion  
7 on that. I can just tell you we always strove to  
8 be a hundred percent.

9 BY MR. EDWARDS:

10 Q. Do you believe it's fair to consumers if  
11 they believe that they are buying a product that  
12 is labeled \$10 and it rings up at \$12? Is that  
13 fair to your consumers --

14 MR. TAYLOR: Object --

15 BY MR. EDWARDS:

16 Q. -- at Dollar General?

17 MR. TAYLOR: Sorry. Objection.  
18 Form. You can answer.

19 THE WITNESS: I don't know that I  
20 would use the word "fair," that would be a word I  
21 would use. I would say if the price -- which we  
22 would always want to ring up at a hundred percent  
23 accurate.

24 From the label to the register wasn't  
25 correct, there were measures for the customer to

1 be able to share that in the store so that we  
2 could solve it for them on the spot.

3 BY MR. EDWARDS:

4 Q. Do you shop in department stores?

5 A. Occasionally.

6 Q. Do you shop in grocery stores?

7 A. Occasionally.

8 Q. Do you still shop at Dollar General?

9 A. I do.

10 Q. Okay. Whenever you're at a -- I don't  
11 know. Is Dollar General considered a grocery  
12 store in your mind?

13 A. In my mind, it's a convenience store.

14 Q. Okay. We'll call it convenience store  
15 then. When you're shopping at a convenience  
16 store, do you make a habit to always check the  
17 prices on every product on your receipt after --  
18 after ring-up at the register?

19 MR. TAYLOR: Objection. Form. You  
20 can answer.

21 THE WITNESS: I do not.

22 BY MR. EDWARDS:

23 Q. Okay. Does Dollar General expect that its  
24 consumers will check the receipt upon purchase of  
25 every product that it -- it purchases?

1 MR. TAYLOR: Objection. Form. You  
2 can answer.

3 THE WITNESS: I really can't answer  
4 what Dollar General would expect from all  
5 customers. I don't really know.

6 BY MR. EDWARDS:

7 Q. All right. I mean, do you think it would  
8 be reasonable for any convenience store to expect  
9 that a consumer should verify accurate pricing on  
10 its receipts after purchase?

11 MR. TAYLOR: Objection. Form. You  
12 can answer.

13 THE WITNESS: Can you repeat the  
14 question?

15 BY MR. EDWARDS:

16 Q. Do you think it would be fair of any  
17 convenience store to expect the consumer to  
18 check -- to verify the accuracy of the pricing on  
19 its products after purchase?

20 MR. TAYLOR: Objection. Form. You  
21 can answer.

22 THE WITNESS: I don't know if I would  
23 use the word "fair," but I think customers have  
24 opportunities at Dollar General, as they do in all  
25 retail stores, to be able to see what -- how



1 things are scanning on the register through the  
2 monitor. And there's also the receipt. And  
3 there's also just sharing with the cashier what  
4 the price -- what they believe the price was.

5 And at Dollar General, cashiers were  
6 empowered up to a hundred dollars to be able to  
7 make it right for the customer on the spot.

8 BY MR. EDWARDS:

9 Q. Right.

10 A. So --

11 Q. But sitting here today, do you have any  
12 idea of the percentage of Dollar General customers  
13 that actually look at the receipt to verify  
14 pricing accuracy after purchase?

15 MR. TAYLOR: Objection. Form. You  
16 can answer.

17 THE WITNESS: I'm not the expert on  
18 that. I couldn't answer that question.

19 BY MR. EDWARDS:

20 Q. Right. And -- and what I'm asking you is:  
21 Do you think that a consumer should, after  
22 purchase at a Dollar General, check the accuracy  
23 of the pricing on the receipt?

24 MR. TAYLOR: Objection. Form. You  
25 can answer.

1 THE WITNESS: Again, I don't have an  
2 opinion on if they should do that or not.

3 BY MR. EDWARDS:

4 Q. Right. You just told me that you don't  
5 yourself, correct?

6 A. Right.

7 Q. Okay. Did you talk with anyone other than  
8 counsel about this deposition?

9 A. No.

10 Q. Okay. And you told me you didn't review  
11 the complaint?

12 A. No.

13 Q. Okay. When did you first become aware of  
14 this lawsuit?

15 A. I don't recall the exact date. It might  
16 have been a couple weeks ago where they reached  
17 out to me about a deposition.

18 Q. Okay. So until McGuireWoods reached out  
19 to you about a deposition, you weren't aware that  
20 Dollar General had been sued in New York?

21 A. That's correct.

22 Q. Okay. Other than New York, are you aware  
23 of any other -- have you ever become aware of any  
24 other legal action involving Dollar General over  
25 pricing accuracy?

1 A. Not that I can recall.

2 Q. Okay. Not aware of any situations where  
3 Dollar General has dealt with pricing accuracy  
4 issues in terms of state attorney generals,  
5 anything like that?

6 MR. TAYLOR: Objection. Form. You  
7 can answer.

8 THE WITNESS: Not -- not that I can  
9 recall.

10 BY MR. EDWARDS:

11 Q. Okay. Are you aware that Dollar General  
12 stores are subject to audits from various local  
13 and state agencies from time to time?

14 A. Yes.

15 Q. Okay. Are you aware, for example, in 2022  
16 what the failure rate was in any state for pricing  
17 accuracy issues?

18 A. I -- I can't -- I really don't remember.  
19 I can't recall.

20 Q. Okay. I'm asking you generally. Are --  
21 are you aware that failing governmental audits  
22 have become an issue in 2022?

23 MR. TAYLOR: Objection. Form. You  
24 can answer.

25 THE WITNESS: I -- again, on

1 occasion, things would bubble up to me, and we  
2 would resolve them.

3 BY MR. EDWARDS:

4 Q. Okay. When you say things would bubble up  
5 to you and we would resolve them, I'm not sure I  
6 understand what you mean. Can you explain that,  
7 please?

8 A. Yes.

9 Q. Okay.

10 A. There were many layers. So there was the  
11 store manager, the district manager, the regional  
12 director, the vice presidents. And that's who  
13 reported in to me.

14 In my last role, I managed over 10,000  
15 stores. And if I was made aware of any specific  
16 instance in a store, my team would let me know all  
17 of the measures that they took to correct any  
18 pricing issues, and there was always follow-up on  
19 that store from the teams that worked -- that  
20 reported in to me.

21 Q. So when you say "pricing issues would  
22 bubble up and we would address it," you're talking  
23 about on the individual store level?

24 A. Yes.

25 Q. Okay. And I'm asking you if you were

1 aware of a more nationwide issue involving pricing  
2 accuracy in 2022.

3 MR. TAYLOR: Objection. Form. You  
4 can answer.

5 THE WITNESS: Not that I can recall.

6 BY MR. EDWARDS:

7 Q. Okay. And you measure -- you -- I'm  
8 sorry -- you measure. You testified that you  
9 have 10 -- you had 10,000 that you managed when --  
10 when you left Dollar General?

11 A. Somewhere around that.

12 Q. Okay. And none of them were in New York?

13 A. No.

14 Q. Okay. What states?

15 A. I don't recall all of my states.

16 Q. Okay.

17 A. There was a lot of them. I had half the  
18 country.

19 Q. Okay. Did you have Ohio?

20 A. No.

21 Q. Did you have Wisconsin?

22 A. No.

23 Q. Tell me when you started at Dollar  
24 General. I want to walk through when you started,  
25 the job titles that you held up until when you

1 left.

2 A. It was in 2016, is when I started.

3 Q. What was your job title?

4 A. Division vice president for Division 10.

5 Q. Okay.

6 A. And then I was promoted somewhere towards  
7 the end of 2019. I can't -- maybe it was August  
8 or September. I can't remember, but it was  
9 somewhere at the end of 2019.

10 Q. Okay. To what?

11 A. Senior vice president.

12 Q. Is that nationwide or --

13 A. No. That had half the nation.

14 Q. Is it senior VP for half the nation or  
15 some -- there's some --

16 A. Of stores.

17 Q. -- distinction?

18 A. Yeah. There's just --

19 Q. Okay.

20 A. Yeah. We -- we called it north and south,  
21 and I had the south.

22 Q. Okay. Like -- so senior VP for the south  
23 region?

24 A. Well, that's not what the title was. It  
25 was just senior vice president of stores, but

1 internally we would call it the south, which was  
2 the warmer weather states.

3 Q. Gotcha. All right. We're at 2019. Take  
4 it from there.

5 A. That -- that was the role -- the last role  
6 I was in at Dollar General.

7 Q. Okay.

8 A. I left in that role.

9 Q. You left in that role. And when -- what  
10 month did you leave, month and year?

11 A. It was August of 2023.

12 Q. Okay. And where did you go?

13 A. I went to Burlington stores.

14 Q. What's your -- is that still your -- where  
15 you're at?

16 A. Yes.

17 Q. What's your job title there?

18 A. Executive vice president of stores and  
19 asset protection.

20 Q. Was that a promotion, in your mind?

21 A. Yes.

22 Q. Okay. Why did you leave Dollar General in  
23 August of 2023?

24 A. For a promotion.

25 Q. Okay. More money?

1 A. Yes.

2 Q. Okay. During 2023, do you know if Dollar  
3 General was still dealing with pricing accuracy  
4 issues?

5 MR. TAYLOR: Objection. Form. You  
6 can answer.

7 THE WITNESS: I can't recall. I  
8 don't know any specifics.

9 BY MR. EDWARDS:

10 Q. Okay. I'm not asking you for specifics.  
11 I'm just wondering if you recall that there were  
12 still ongoing measures to attempt to resolve  
13 pricing accuracy issues.

14 MR. TAYLOR: Objection. Form. You  
15 can answer.

16 THE WITNESS: What I do recall is the  
17 institution of more things to ensure prices were  
18 accurate.

19 BY MR. EDWARDS:

20 Q. Okay. And do you recall why those  
21 additional measures were instituted in 2023?

22 A. Because Dollar General always wanted to be  
23 a hundred percent with price accuracy.

24 Q. Okay.

25 A. It's very important to Dollar General.



1 Q. Have you ever seen any comparisons of  
2 Dollar General's pricing accuracy versus their  
3 competitors?

4 A. No. Not that I can recall.

5 Q. Is that something as a -- as a senior vice  
6 president, is that something that you would  
7 typically, in other areas, comparisons of how  
8 Dollar General is doing in key areas versus the  
9 competition?

10 MR. TAYLOR: Objection. Form. You  
11 can answer.

12 THE WITNESS: I -- I don't recall.  
13 We looked really heavily on -- in our internal  
14 metrics.

15 BY MR. EDWARDS:

16 Q. Okay. When you left -- or let me ask --  
17 strike that.

18 Let me ask it this way: As -- in your  
19 role as senior vice president from 2019 to August  
20 2023, who did you report to?

21 A. Steve Sunderland.

22 Q. And his job title?

23 A. Executive vice president stores, asset  
24 protection.

25 Q. Did -- I'm going to mess up pronunciation

1 of her name, although I should do better. Did --  
2 did Mia Savaloja report to you?

3 A. Mia Savaloja. She did not.

4 Q. Okay. Is there -- how many people  
5 reported to you directly?

6 A. I had the division vice presidents  
7 reporting in to me and at one time two senior  
8 directors.

9 Q. How -- how many people?

10 A. Six.

11 Q. Okay.

12 A. And my admin. So seven.

13 Q. What is your educational background?

14 A. I went to Cal State Fullerton and got a  
15 degree in biological science, and I'm currently  
16 attending Northwestern Kellogg School of Business.

17 Q. Okay.

18 A. In my second year for the MBA program.

19 Q. A good baseball team in Cal State  
20 Fullerton.

21 A. I know. Yeah. You're right.

22 Q. So you're -- are you currently working on  
23 your master's?

24 A. Yes.

25 Q. Okay. Is that an online degree?

1 A. No. It's in person.

2 Q. In person. Okay.

3 A. On the weekends.

4 Q. Okay. Good for you.

5 A. Yes.

6 MR. EDWARDS: Probably a good time to  
7 go ahead and take a break. I'm at a good stopping  
8 point.

9 MR. TAYLOR: Okay. Let's do that.

10 THE VIDEOGRAPHER: Okay. We're going  
11 off the record. The time is 10:46 a.m.

12 (Recess, 10:46 to 10:57 a.m.)

13 THE VIDEOGRAPHER: We are returning  
14 to the record. The time is 10:57 a.m.

15 BY MR. EDWARDS:

16 Q. All right. We're back on the record.

17 THE VIDEOGRAPHER: Don't forget your  
18 microphone.

19 MR. EDWARDS: Oh.

20 BY MR. EDWARDS:

21 Q. All right, Ms. Droge. Ties into -- I  
22 think we had a conversation a few minutes ago  
23 about stores being incentivized to ensure accurate  
24 pricing. You -- you agree that Dollar General  
25 incentivizes store managers to ensure accurate

1 pricing?

2 MR. TAYLOR: Objection. Form. You  
3 can answer.

4 THE WITNESS: Yeah. I -- I don't  
5 know that I would agree with that, that Dollar  
6 General incentivized stores.

7 BY MR. EDWARDS:

8 Q. Okay.

9 A. It was the expectation to be accurate.

10 Q. Okay. I could have sworn I heard you  
11 mention the word "accountability"; is that  
12 correct?

13 A. Correct.

14 Q. The -- the store managers were held  
15 accountable by Dollar General when they had issues  
16 with pricing accuracy?

17 A. Yes.

18 Q. How -- how so?

19 A. I -- you know, I don't recall all the  
20 details. There was an accountability program. I  
21 don't recall the details of it.

22 Q. In the last three years, are you aware of  
23 any district manager or regional manager that's  
24 been terminated due to pricing accuracy issues at  
25 Dollar General?

1 MR. TAYLOR: Objection. Form. You  
2 can answer.

3 THE WITNESS: I can't recall all of  
4 the details. But, again, there was an  
5 accountability matrix. So I couldn't speak to who  
6 was separated and who wasn't. I don't recall.

7 BY MR. EDWARDS:

8 Q. And I'm not asking you for details. I'm  
9 just asking you a kind of simple yes or no thing.  
10 Are you aware of any district manager or regional  
11 manager that was terminated due to pricing  
12 accuracy issues over the last three years?

13 MR. TAYLOR: Objection. Form. You  
14 can answer.

15 THE WITNESS: Not solely for price  
16 accuracy. No. I'm not aware of that.

17 BY MR. EDWARDS:

18 Q. Okay. Do you know if anyone at Dollar  
19 General was ever asked to determine the scope of  
20 this issue?

21 MR. TAYLOR: Objection. Form. You  
22 can answer.

23 THE WITNESS: I can't really speak to  
24 that because I don't know.

25 BY MR. EDWARDS:

1 Q. So in terms of how often this pricing  
2 accuracy issue occurs or on how many products or  
3 in how many states, you haven't seen any data like  
4 that?

5 A. I haven't --

6 MR. TAYLOR: Objection. Form. Go  
7 ahead.

8 THE WITNESS: Not that I can recall.  
9 BY MR. EDWARDS:

10 Q. Okay. Have you ever seen any data while  
11 you were at Dollar General reflecting the number  
12 of failed government audits?

13 A. Not that I can recall.

14 Q. Have you ever seen any data reflecting the  
15 percentage of inaccurate pricing in stores as a  
16 result of random sampling or price checks?

17 MR. TAYLOR: Objection. Form. You  
18 can answer.

19 THE WITNESS: Not that I can recall.  
20 BY MR. EDWARDS:

21 Q. Okay. In the Dollar General hierarchy,  
22 was -- were the folks in compliance somewhere  
23 underneath you?

24 MR. TAYLOR: Objection. Form. You  
25 can answer.

1 THE WITNESS: They didn't report in  
2 my area.

3 BY MR. EDWARDS:

4 Q. Who did they -- who did compliance report  
5 to?

6 A. Somebody in store ops.

7 Q. Okay.

8 A. Yeah.

9 Q. I -- I see a number of e-mails where you  
10 appear to be in the same e-mail with folks  
11 addressing compliance issues. Why is that? Do  
12 you know?

13 A. You know, I led stores, and we were in  
14 charge of the execution of compliance.

15 Q. Okay. So compliance would come up with  
16 the rules to address things like pricing accuracy  
17 and -- and you were in charge of executing those  
18 plans?

19 A. Yes.

20 MR. TAYLOR: Objection. Form. You  
21 can answer.

22 THE WITNESS: Yeah.

23 BY MR. EDWARDS:

24 Q. Okay. Were you also in charge of the  
25 accountability portion if those plans weren't

1           executed as -- as ordered?

2                       MR. TAYLOR: Objection. Form. You  
3           can answer.

4                       THE WITNESS: I wasn't directly  
5           responsible for the accountability portion.  
6           Again, there was district managers that led the  
7           stores and regional directors that led the  
8           district managers and vice presidents that led the  
9           regional team, but ultimately my six direct  
10          reports worked through their teams on those  
11          accountability measures.

12          BY MR. EDWARDS:

13          Q.           Your six direct reports?

14          A.           Yes.

15                      MR. EDWARDS: Okay. Let's go ahead  
16          and mark -- I think we've been starting back at 1  
17          with these.

18                      MR. TAYLOR: Yeah, we have.

19                      MR. EDWARDS: Okay. Let's go ahead  
20          and mark this the next -- or the first exhibit.  
21          We'll call this Exhibit 1.

22                      (Document marked Exhibit No. 1.)

23                      MR. EDWARDS: Thank you.

24                      THE WITNESS: Yeah. Of course.

25          Thank you.



1 BY MR. EDWARDS:

2 Q. Have you seen this before?

3 A. I have not seen this.

4 Q. Okay. And I -- I basically just want to  
5 make that Exhibit 1 for the record, and I'll --  
6 I'll represent to you that you're appearing  
7 pursuant to this -- this notice here today. Do  
8 you have any reason to dispute that, we're at  
9 Holland & Knight, 511 Union Street?

10 A. No.

11 Q. Okay. No reason to dispute that?

12 A. No.

13 MR. EDWARDS: Okay. All right. All  
14 right. Let's see. Make this the next exhibit.  
15 We'll call this Exhibit 2. And I'll just hand  
16 these to the court reporter, and she'll pass it to  
17 you.

18 (Document marked Exhibit No. 2.)

19 THE WITNESS: Thank you.

20 BY MR. EDWARDS:

21 Q. Give you a second to review that. And the  
22 question I'm going to ask you is: Is this an  
23 e-mail that you reviewed in preparation for your  
24 deposition?

25 A. I -- I don't believe it was.

1 Q. Okay. You see the -- on -- on the  
2 first -- on the first page here -- I'm looking at  
3 the e-mail sent Tuesday, April 5, 2022 at 5:09.  
4 Are you with me there?

5 A. Yes.

6 Q. Okay. That's an e-mail from  
7 storecompliance@dollargeneral.com. Who -- who  
8 sends from that e-mail address?

9 A. You know, I -- I can't speak for certain.  
10 I think multiple people did, and --

11 Q. Okay.

12 A. -- and I don't know who all those people  
13 would be.

14 Q. Is there a reason that the e-mail would  
15 come from store compliance, kind of a generic --  
16 instead of a specific person in store compliance?

17 MR. TAYLOR: Objection. Form. You  
18 can answer.

19 THE WITNESS: That was very common,  
20 for e-mails to come from the store compliance  
21 mailbox.

22 BY MR. EDWARDS:

23 Q. My question is: Do you know why?

24 A. No. I don't know why.

25 Q. Okay. And you were copied on this e-mail,

1 correct?

2 A. Correct.

3 Q. All right. It says, "Field Leaders, the  
4 Tuesday Core Price Label Printing Execution report  
5 in BI is now available." Do you see that?

6 A. Yes.

7 Q. I read that correct?

8 A. Yes.

9 Q. Okay. And, again, this is an  
10 April 5, 2022 e-mail, correct?

11 A. Yes.

12 Q. All right. Is this Tuesday Core Price  
13 Label Printing Execution report being available in  
14 Power BI something that started in early 2022?

15 MR. TAYLOR: Objection. Form. You  
16 can answer.

17 THE WITNESS: I can't recall when it  
18 started.

19 BY MR. EDWARDS:

20 Q. Okay. What is, if you know, Tuesday Core  
21 Price Label Printing Execution report? What is  
22 that?

23 A. It's a report that would show stores  
24 printed their labels on Tuesday.

25 Q. Okay. Why is that important to know?

1           A.           It -- it was a means to track compliance.  
2           However, one thing I can tell you from my  
3           experience there is frequently this report was  
4           inaccurate.

5           Q.           The Power BI report was frequently  
6           inaccurate?

7           A.           The report itself would -- many times  
8           report stores did not complete their print labels.  
9           And when we went back and checked, I'd say that  
10          the majority of the time it was incorrect and  
11          stores had done the work.

12                       So there was some sort of inaccuracy with  
13          the report. I don't know. I'm not the IT person.  
14          I was, again, only in charge of execution, but I  
15          can tell you the report many times was inaccurate.

16          Q.           And by "many times," what -- what do you  
17          mean? Like what percentage?

18          A.           I would say the majority of times where we  
19          asked our team to go follow up on a store that  
20          would show it wasn't printed, they, in fact, had  
21          printed and put their labels up and it was  
22          accurate, that they did do the work, and the  
23          report would -- would show that they didn't  
24          actually report.

25          Q.           So if these reports would show the

1 accuracy of label printing, it sounds like those  
2 reports were unreliable, in your opinion?

3 MR. TAYLOR: Objection. Form. You  
4 can answer.

5 THE WITNESS: I don't know that I  
6 would say that they were unreliable. I would just  
7 say there were times where it would report that  
8 the stores did not complete the work when, in  
9 fact, they had completed the work.

10 BY MR. EDWARDS:

11 Q. Well, if -- if they're inaccurate the  
12 majority of the time, it sounds to me like they  
13 would be unreliable, correct?

14 MR. TAYLOR: Object -- objection.  
15 Form. You can answer.

16 THE WITNESS: Yeah. I can't share  
17 the percentage of time. There was a small  
18 percentage of time where one store, two stores,  
19 would show that they didn't do the work. And,  
20 again, when we checked, they had done the work.

21 BY MR. EDWARDS:

22 Q. But you told me the majority of the  
23 time. That means greater than 50 percent, right?

24 A. The majority of the time when it would  
25 show that a store hadn't completed the work. The

1 majority of that time -- and, again, I don't know  
2 the percentage -- they had actually completed the  
3 work.

4 Q. Okay. Is it possible that they -- the  
5 report was run, and then when you went to do a  
6 physical check, it had been printed in -- in the  
7 interim?

8 A. No. Because they would have had -- they  
9 would have had to put the labels up. So --

10 Q. I see.

11 A. -- there was -- yes. So --

12 Q. So are the Tuesday Core Label Printing  
13 Execution reports -- I assume since you were  
14 copied on -- on this, those are -- those reports  
15 were something that you saw at Dollar General?

16 A. Yes.

17 MR. TAYLOR: Objection. Form. You  
18 can answer.

19 BY MR. EDWARDS:

20 Q. Okay. Did you see them regularly?

21 A. I can't remember the frequency, to be  
22 specific. No.

23 Q. Well, how often were they printed?

24 A. The -- every --

25 MR. TAYLOR: Objection. Form.

1 BY MR. EDWARDS:

2 Q. The reports.

3 A. The reports -- well, we didn't print the  
4 reports. The labels were printed on Tuesdays,  
5 typically.

6 Q. Yeah. I -- I used a bad word there.

7 A. Sorry.

8 Q. How often did the -- were the reports  
9 created?

10 MR. TAYLOR: Objection. Form.

11 THE WITNESS: Again, I think it was a  
12 weekly report out, is what I believe was the  
13 frequency.

14 BY MR. EDWARDS:

15 Q. So e-mails like this from store compliance  
16 to you and this big group of people would have  
17 been a weekly thing?

18 A. I believe so, but I don't recall  
19 specifically.

20 Q. Okay.

21 A. I -- I think when it moved into Power BI,  
22 there was different visibility.

23 Q. What -- and do you mean by "different --

24 A. You --

25 Q. -- visibility"?

1 A. Before there was a Power BI report, they  
2 created something on e-mail, and they would send  
3 it to us. And then they created a report where  
4 somebody could go into a system and look.

5 Q. I see.

6 A. Yeah.

7 Q. But you had access to these reports?

8 A. Correct.

9 Q. Okay. Go ahead and flip to the -- to the  
10 next page. Do you see where this says -- it has a  
11 chart with weeks on it and division details?

12 A. Yes.

13 Q. Okay. And it looks like everything except  
14 for Divisions 1 and 5 were redacted. Do you see  
15 that?

16 A. Yes.

17 Q. Okay. What are Divisions 1 and 5?

18 A. They were not in my area. So I -- I don't  
19 know the composition of the areas.

20 Q. Right. Is it -- does New York sound  
21 right?

22 A. Possibly.

23 Q. Okay. I'm looking at the four-week  
24 average on -- on the left side, which takes an  
25 average of weeks nine, eight, seven and six. Do



1           you see that?

2           A.           Yes.

3           Q.           And this is the report from April 5, 2022;  
4           is that correct?

5                       MR. TAYLOR:  Objection.  Form.  You  
6           can answer.

7                       THE WITNESS:  I don't see a date.  
8           Yes.

9           BY MR. EDWARDS:

10          Q.          Okay.  According to this report, the  
11          four-week average for Division 1 in terms of being  
12          printed on -- labels being printed on time was 77  
13          percent.  Do you see that?

14          A.          Yes.

15          Q.          Okay.  And for Division 5, it was 70  
16          percent, correct?

17          A.          That's what it says here.  Yes.

18          Q.          Okay.  And those would both be  
19          unacceptable in terms of the percentage of times  
20          that labels were printed on time, right?

21                       MR. TAYLOR:  Objection.  Objection.  
22          Form.  You can answer.

23                       THE WITNESS:  I can tell you we  
24          always aim to be a hundred percent.  And in the  
25          next column, you can see "Printed late, percent,"

1 which means -- that could have been minutes late,  
2 but they were printed. And so the totals that I'm  
3 looking at look different than what you are  
4 suggesting.

5 BY MR. EDWARDS:

6 Q. Right. And then not printed was  
7 9 percent, correct?

8 A. Correct. And that's where there was  
9 always variability. On the not printed is where  
10 we found errors because, in fact, stores had  
11 printed and done their labels.

12 Q. Right. So are -- are you -- I'm -- I'm a  
13 little confused here. Are you telling me that  
14 this 9 percent is not reliable?

15 MR. TAYLOR: Objection. Form. You  
16 can answer.

17 THE WITNESS: I can't -- again, I'm  
18 not the expert on that. I can tell you, when we  
19 looked into issues specifically in my area where  
20 it showed -- showed not printed, stores had, in  
21 fact, printed and put their labels up.

22 BY MR. EDWARDS:

23 Q. Okay. But you don't have an opinion as to  
24 whether this information contained in this -- in  
25 this report that we've marked as Exhibit 2 is

1 accurate?

2 MR. TAYLOR: Objection. Form. You  
3 can answer.

4 THE WITNESS: I really can't speak to  
5 that, especially considering these were not my  
6 areas. I -- I'm not familiar with --

7 MR. EDWARDS: Okay. Go ahead and  
8 mark Exhibit 3.

9 (Document marked Exhibit No. 3.)

10 MR. EDWARDS: Thanks.

11 THE WITNESS: Thank you.

12 BY MR. EDWARDS:

13 Q. And I'm going to ask you the same  
14 question. Take as much time as you need to  
15 read -- read these. I'm not trying to rush you.  
16 But I'm going to ask you if this is a series of  
17 e-mails that you reviewed in preparation for your  
18 deposition.

19 A. I can tell you, looking at the first page,  
20 I have not seen this before.

21 Q. Okay. You mean ever?

22 A. Well, my name is on here. So clearly I  
23 did, but I didn't see this. I didn't see this  
24 in --

25 Q. Okay.

1 A. -- preparation for the deposition, and I  
2 do not recall. So I would love to be able to read  
3 it because I don't recall this e-mail.

4 Q. Sure. Just let me know when you're --

5 A. I'm ready.

6 Q. Oh, okay. All right. This appears to be  
7 a series of e-mails related to an SM-DM compliance  
8 accountability plan for quarter two and quarter  
9 three of 2022. Does that seem right?

10 A. Yes.

11 Q. Okay. And then there's an attachment,  
12 which I don't see, but it says "5/6/22 Compliance  
13 Corner. Q2 SCV." And -- and it appears to be a  
14 PowerPoint. Does that look right?

15 A. Yes.

16 MR. TAYLOR: And --

17 MR. EDWARDS: Okay.

18 MR. TAYLOR: -- just for the record,  
19 are you saying that you -- you don't have it or  
20 that you have it and you just don't have it with  
21 you?

22 MR. EDWARDS: I -- I don't know if we  
23 received it.

24 MR. TAYLOR: Okay. That's fine.

25 That's fine.

1 MR. EDWARDS: Yeah. I -- I don't --  
2 I don't believe that we did, but --

3 MR. TAYLOR: I think it was produced.

4 MR. EDWARDS: Okay. We'll  
5 double-check on that. It's probably neither here  
6 nor there for -- for this deposition at least.

7 BY MR. EDWARDS:

8 Q. So who is Maribeth?

9 A. Mary Beth was a division vice president  
10 for Division 1. Not in my area.

11 Q. Okay. And you told me earlier that Steve  
12 Sunderland is the executive vice president,  
13 correct?

14 A. That's correct.

15 Q. Okay. Do you agree that compliance is  
16 a -- was considered a critical area for Dollar  
17 General?

18 MR. TAYLOR: Objection. Form. You  
19 can answer.

20 THE WITNESS: I agree. Compliance  
21 was very important to Dollar General, all aspects.

22 BY MR. EDWARDS:

23 Q. Why?

24 A. Because it was very -- it was something  
25 that we held ourselves to. We wanted to make sure

1       that we were compliant on all things, and it was  
2       very important.

3       Q.       Why specifically do you feel like pricing  
4       compliance was important to Dollar General?

5       A.       I think all areas of compliance were  
6       important.

7       Q.       Fair enough. But I'm asking you: Why do  
8       you think that pricing compliance specifically was  
9       important to Dollar General?

10      A.       It was really important to Dollar General  
11      because we expected and held ourselves to the  
12      standard to be a hundred percent accurate on  
13      prices.

14      Q.       But -- I think I asked you this earlier.  
15      But you're not sure why Dollar General held  
16      itself --

17      A.       It's an important --

18      Q.       -- to that standard?

19      A.       -- business practice with any business.  
20      Right?

21      Q.       Why is it important?

22      A.       Again -- I -- I mean, I -- I'm in -- my  
23      area is in charge of like the execution of the  
24      strategy, not necessarily the design of the  
25      strategy or why the strategy was important.

1 Q. You have no opinion on why it would have  
2 been important for Dollar General to have accurate  
3 prices that consumers see on the shelf?

4 MR. TAYLOR: Objection. Form. You  
5 can answer.

6 THE WITNESS: I do not have an  
7 opinion on that.

8 BY MR. EDWARDS:

9 Q. Okay. So the e-mail from Steve Sunderland  
10 to Maribeth --

11 A. Oh, I just realized -- this is not Mary  
12 Beth Hawthorne. This is Maribeth Dedmon.

13 Q. Dedmon.

14 A. Maribeth Dedmon --

15 Q. Right.

16 A. -- is not a division vice president.  
17 Sorry. Maribeth Dedmon was a director on Mia's  
18 team.

19 Q. Okay. So is this Steve Sunderland  
20 addressing Maribeth Dedmon, correct?

21 A. That's right.

22 Q. Okay. And I'm looking at the e-mail from  
23 5/5/22 at 7:37 a.m. Do you see that, the top one?

24 A. Yes.

25 Q. Okay. I'm going down to the bottom where

1       it -- where he states, Steve does, "We can't be  
2       tone deaf with the team and need all of your help  
3       to make sure that we don't say, slash, do  
4       something that unravels our listening with counter  
5       action. At the same time, we have to maintain our  
6       focus on the commitments that we have to the  
7       organization on critical areas like compliance."

8               Do you have an understanding of what  
9       Steve was referring to when he indicated that we,  
10       I assume meaning Dollar General, can't be tone  
11       deaf with the team?

12               MR. TAYLOR: Objection. Form. You  
13       can answer.

14               THE WITNESS: Yeah. I can't speak to  
15       what Steve was commenting. I really don't know  
16       what he meant by this.

17       BY MR. EDWARDS:

18       Q.       Okay. You -- you were one of the  
19       recipients of this e-mail, right?

20       A.       Yes.

21       Q.       And did you follow up, ask him what he  
22       meant or --

23       A.       I don't recall having that conversation  
24       with him.

25       Q.       Okay. All right. Let's go down to what



1 would have been the e-mail previous to this, the  
2 May 4, 2022 e-mail from Mary Beth at 4:53. Do you  
3 see that?

4 A. Yes.

5 Q. Okay. This -- this would be an outline of  
6 the contents of the SVM and SM accountability  
7 slides for Friday's Teams Live Event; is that  
8 correct?

9 A. Yes.

10 Q. Okay. And then she -- she lists -- she  
11 lists out the bullet points and -- and messaging  
12 below the e-mail, correct?

13 A. Yes.

14 Q. Okay. The -- the first bullet point is  
15 "Announcement of quarter two SCV, including  
16 changes to align with Steritech audits and support  
17 opportunity compliance areas." Did I read that  
18 right?

19 A. Yes.

20 Q. What do you know about Steritech audits?

21 A. Steritech was a third party that came in  
22 and checked for freshness and rotation.

23 Q. Okay. You don't know that they had any --  
24 any role with regard to pricing accuracy?

25 A. Not that I can recall.

1 Q. Okay. Let's jump forward in the document  
2 to the -- to the very last page of Exhibit 3. And  
3 I'm looking for the e-mail dated April 30, 2022 at  
4 5:12 p.m. from Steve Sunderland to you and  
5 Maribeth and a lot of others. Do you see that  
6 one?

7 A. Yes.

8 Q. Okay. The -- the sentence, the first  
9 sentence reads, "We can talk more team, but we are  
10 going to slow roll the DM accountability. We  
11 would like to shoot for the start of Q3, but we  
12 will see where we are at on a lot of fronts." Did  
13 I read that right?

14 A. Yes.

15 Q. Okay. What does that mean, slow roll the  
16 DM accountability?

17 A. That was sent by Steve, and I -- I don't  
18 know what he was referring to.

19 Q. I mean, do you have a general  
20 understanding of what the phrase "slow roll"  
21 means?

22 A. Again, this was -- I don't recall this  
23 e-mail or the conversation around it.

24 Q. Right. And -- and that wasn't my  
25 question, though. I'm -- I'm asking you, in

1       general, do you have a general understanding of  
2       what the phrase "slow roll" means?

3       A.       I would think it would mean to go slow.

4       Q.       Okay. So instead of implementing this DM  
5       accountability plan immediately, slow roll would  
6       mean to slow that down?

7               MR. TAYLOR: Objection. Form. You  
8       can answer.

9               THE WITNESS: Yeah. I -- I don't --  
10      BY MR. EDWARDS:

11     Q.       Is that an unreasonable reading?

12              MR. TAYLOR: Objection. Form.

13              THE WITNESS: I don't know what Steve  
14      was referring to by this.

15      BY MR. EDWARDS:

16     Q.       Okay. And DM is district manager?

17     A.       Correct. It looks like this was sent in  
18     Q2.

19     Q.       Right.

20     A.       Almost -- yeah.

21     Q.       This e-mail appears to have been sent --  
22     well, strike that.

23              MR. EDWARDS: Let's go ahead and mark  
24      what we'll call Exhibit 4.

25              (Document marked Exhibit No. 4.)

1 THE WITNESS: Thank you.

2 BY MR. EDWARDS:

3 Q. I'll give you an opportunity to take a  
4 look. And after you've had the opportunity to  
5 take a look, let me know, please. Are you done?

6 A. Yes.

7 Q. Okay. Exhibit 4 appears to be -- well,  
8 there's a couple of e-mails, but I want to ask you  
9 about the one sent by Zak -- is it Brining --

10 A. Yes.

11 Q. Okay. I did good -- on behalf of you, Jim  
12 and Zak, I presume, correct?

13 A. Correct.

14 Q. Okay. And is there a reason why Zak  
15 would -- was this common, for Zak to send out  
16 e-mails on behalf of you and others, Jim and Zak?

17 MR. TAYLOR: Objection. Form. You  
18 can answer.

19 THE WITNESS: I don't know if I would  
20 use the word "common," but it did occur.

21 BY MR. EDWARDS:

22 Q. Okay. I mean, why -- why would that  
23 occur?

24 A. It -- for ease, honestly, of  
25 communication, that one person would take the lead

1 and communicate.

2 Q. Okay. Is this e-mail that all three of  
3 you would have got together on before it was sent?

4 MR. TAYLOR: Objection. Form. You  
5 can answer.

6 THE WITNESS: I -- I can't recall  
7 specifically. But most likely, yes.

8 BY MR. EDWARDS:

9 Q. Okay. So this is an e-mail dated  
10 January 5, 2023 at 1:51. Do you see that?

11 A. Yes.

12 Q. Okay. And it indicates that you were  
13 excited to share that starting in week 52  
14 Compliance Tuesday will launch to support key  
15 compliance activities in all stores. Did I read  
16 that right?

17 A. Yes.

18 Q. Okay. So is -- is the beginning of 2023  
19 when this version of Compliance Tuesday was  
20 launched?

21 MR. TAYLOR: Objection. Form.

22 BY MR. EDWARDS:

23 Q. Am I reading that right?

24 MR. TAYLOR: Objection. Form. You  
25 can answer.

1 THE WITNESS: I don't recall the  
2 specifics of when it was launched. Dollar General  
3 continued to take measures through the years to  
4 ensure the highest level of rigor around  
5 compliance. So it looks like here that it started  
6 in week 52. But, again, I don't recall the exact  
7 launch.

8 BY MR. EDWARDS:

9 Q. It indicates in the next sentence, "To  
10 support Compliance Tuesday, every Tuesday morning  
11 will now require double coverage at store opening  
12 or triple coverage if Tuesday is a stocking day as  
13 part of a seven-day work flow."

14 How is this different than what was  
15 previously required prior to the beginning of  
16 2023?

17 MR. TAYLOR: Objection. Form. You  
18 can answer.

19 THE WITNESS: It says right here,  
20 "This will be reflected through a four-hour sales  
21 associate shift at store opening." So there was  
22 an additional four hours on Compliance Tuesday.

23 BY MR. TAYLOR:

24 Q. Okay. I mean, why -- why was this just  
25 implemented in -- at the beginning of 2023? I

1 mean, why wasn't this done before that?

2 MR. TAYLOR: Objection. Form. You  
3 can answer.

4 THE WITNESS: I can't speak to  
5 specifically why. What I can tell you is through  
6 the years, Dollar General continued to implement  
7 more measures around pricing and all compliance  
8 measures. So not just pricing, but freshness and  
9 safety and everything that fell under regulatory  
10 compliance.

11 BY MR. EDWARDS:

12 Q. Did -- was there an additional cost that  
13 Dollar General would have incurred with the  
14 addition of this four-hour sales associate shift  
15 at store opening?

16 MR. TAYLOR: Objection. Form. You  
17 can answer.

18 THE WITNESS: Again, I'm not the  
19 expert on that. But as I'm reading this e-mail,  
20 it looks like there was a shift from T6 where  
21 store managers would no longer need the hours. So  
22 basically on T6, the store managers scanned their  
23 outs before the store opened.

24 So we moved those hours to Compliance  
25 Tuesday, and store managers could scan their outs

1 on their T6, which would be a different day of the  
2 week for every store manager, during store  
3 opening. So when the store was already opened.  
4 So I think it was a shift in hours.

5 BY MR. EDWARDS:

6 Q. Right. So it sounds like what you're  
7 telling me is that this Compliance Tuesday  
8 changed -- change that was implemented at the  
9 beginning of 2023 where this four-hour sales  
10 associate shift at store opening is described here  
11 in this e-mail, that didn't come at an increased  
12 cost to Dollar General?

13 A. Yeah. Again --

14 MR. TAYLOR: Objection. Form. You  
15 can answer.

16 THE WITNESS: -- I'm not the expert.  
17 I don't know. I think -- I -- I don't know how  
18 many hours were moved from T6 to Compliance  
19 Tuesday. I don't know if it was one, two, three  
20 or four. But there was some shift. Again, I  
21 don't know. This is not my area.

22 BY MR. EDWARDS:

23 Q. Well, I mean, this is your e-mail, though?

24 A. Correct. But this would have not come  
25 from me. I -- I don't -- I'm not the labor team.



1 So, again, my team was in charge of execution. So  
2 I'm not really sure how the hours worked.

3 Q. Okay.

4 A. It's not my area of expertise.

5 Q. The next line of your e-mail states, "This  
6 change is a big win for our teams," exclamation  
7 point. Why was it a big win?

8 A. Again, Zak's e-mail shares that it was a  
9 win for the teams. I don't know specifically why,  
10 you know -- this would allow the store manager to  
11 have dedicated time around all of the compliance  
12 things on Tuesday. So -- so it would -- you know,  
13 it would be good for the manager.

14 Q. Okay. You say "Zak's e-mail." I just  
15 want to make sure. This was sent from Zak. But  
16 at the bottom of this e-mail, it says, "Thank  
17 you." And then it lists your name first, Connie,  
18 Jim and Zak. This is your e-mail, isn't it?

19 MR. TAYLOR: Objection. Form. You  
20 can answer.

21 THE WITNESS: Well, I don't really  
22 recall, since I didn't draft the e-mail. And this  
23 happened a year and a half ago. I don't know. I  
24 don't really recall this e-mail.

25 BY MR. EDWARDS:

1 Q. Okay. Is it reasonable to assume that an  
2 e-mail that ends with the salutation, "Thank you,  
3 Connie, Jim and Zak," the -- the people  
4 responsible for the content of that e-mail are, in  
5 fact, you, Connie, Jim and Zak?

6 MR. TAYLOR: Objection. Form. You  
7 can answer.

8 THE WITNESS: It could have been.  
9 But now that I'm looking at the date, like I think  
10 I might have even been in school this week. I  
11 don't -- I don't remember. I don't recall this  
12 e-mail. So I -- I don't really know.

13 MR. EDWARDS: Well -- let's go ahead  
14 and mark what we'll call Exhibit 5.

15 (Document marked Exhibit No. 5.)

16 MR. EDWARDS: And when you're done  
17 reviewing it, just indicate to me verbally,  
18 please, done.

19 THE WITNESS: You've got it. Thank  
20 you.

21 MR. EDWARDS: Otherwise we'll just be  
22 sitting here.

23 MR. TAYLOR: While -- while we're  
24 waiting, I just wanted to ask -- do you know  
25 whether there was -- this seems to indicate there

1 was an attachment. Do you know whether you have  
2 that or not?

3 MR. EDWARDS: I'm not going to make  
4 it part of the exhibit. No.

5 MR. TAYLOR: Okay.

6 MR. EDWARDS: Yeah. Do you know that  
7 it was produced, the attachment?

8 MR. TAYLOR: I feel very confident  
9 that it was.

10 MR. EDWARDS: Okay. We'll -- we'll  
11 check.

12 MR. TAYLOR: But -- but if it wasn't,  
13 by all means, let me know.

14 MR. EDWARDS: Okay.

15 THE WITNESS: Done.

16 BY MR. EDWARDS:

17 Q. All right. Thank you. So this e-mail --  
18 the salutation indicates, "Thank you in advance  
19 for your commitment. We look forward to our time  
20 together. Connie and Jim." Is -- are you the  
21 Connie?

22 A. Yes.

23 Q. Okay. And who is Jim?

24 A. Jim would have been my counterpart on the  
25 other side of the country. Jim Sullivan.

1 Q. Jim Sullivan. Okay. Jim Sullivan wasn't  
2 a lawyer or is not a lawyer, is he?

3 A. Not to my knowledge.

4 Q. Not general counsel or anything like that?

5 A. No.

6 Q. Okay. So did -- did you and Jim -- are  
7 you responsible for the content of this e-mail?

8 MR. TAYLOR: Objection. Form. You  
9 can answer.

10 THE WITNESS: Again, I don't recall  
11 this e-mail. It looks like it -- it was sent from  
12 Mia, possibly.

13 BY MR. EDWARDS:

14 Q. So are -- when I see -- you know, when I  
15 see an e-mail which ends with Connie and Jim, my  
16 assumption is that you had something to do with  
17 the content of the e-mail or -- or should I not  
18 assume that?

19 MR. TAYLOR: Objection. Form.

20 THE WITNESS: In some cases, that  
21 was -- that is correct.

22 BY MR. EDWARDS:

23 Q. Right. So there were cases that you're  
24 aware of at Dollar General where others would send  
25 e-mails indicating that the e-mail was from you

1       when, in fact, you were not responsible for the  
2       content of the e-mail?

3               MR. TAYLOR: Objection. Form. You  
4       can answer.

5               THE WITNESS: If it was sent on  
6       behalf of Jim and myself, if he was in a meeting,  
7       then we would sign it from both of us.

8               And so, again, I don't recall this.  
9       I'm not -- this e-mail, I don't believe I wrote  
10      this e-mail, but I -- I just don't remember.

11      BY MR. EDWARDS:

12      Q.       Okay. Can you -- sitting here today, are  
13      you able to recall examples of e-mails at Dollar  
14      General being sent signed from you or others where  
15      you hadn't seen the content before the e-mail was  
16      sent?

17              MR. TAYLOR: Objection. Form. You  
18      can answer.

19              THE WITNESS: I can't recall.

20      BY MR. EDWARDS:

21      Q.       I mean, would that be okay?

22              MR. TAYLOR: Objection. Form.

23              THE WITNESS: Again, if my  
24      counterpart was in a meeting and, for example, if  
25      I was at school that week, then he would sign from

1 both of us.

2 BY MR. EDWARDS:

3 Q. All right. Even if you hadn't seen or  
4 signed off on the content of the e-mail?

5 A. He might have called me while I was at  
6 school and shared, you know, about meetings and  
7 things like that, so --

8 Q. Okay. But I'm assuming, if you're like  
9 me, you at least want to have an understanding of  
10 what the e-mail says before somebody puts my name  
11 at the bottom of it.

12 MR. TAYLOR: Object --

13 BY MR. EDWARDS:

14 Q. Do you feel the same way?

15 MR. TAYLOR: Objection. Form.

16 THE WITNESS: Yes.

17 BY MR. EDWARDS:

18 Q. Okay. And, in fact, this one says at the  
19 top, "Sent on behalf of Connie Droge, Droge, and  
20 Jim Sullivan"?

21 A. Yes.

22 Q. Correct? Okay.

23 A. That's right.

24 Q. Can you go ahead and read that first full  
25 paragraph into the record which starts with, "As

1 part of our meeting"?

2 A. "As part of our meeting, we ask you to  
3 review the attached compliance routines  
4 commitment. Our customers expect accurate pricing  
5 at the register, safe products and a safe shopping  
6 environment. It's up to us to -- to deliver every  
7 day."

8 Q. What's the basis for the statement "our  
9 customers expect accurate pricing at the  
10 register"?

11 MR. TAYLOR: Objection. Form. You  
12 can answer.

13 THE WITNESS: Can you restate your  
14 question?

15 BY MR. EDWARDS:

16 Q. Yeah. I'm -- I'm asking if you know what  
17 the basis is for the statement "our customers  
18 expect accurate pricing at the register."

19 MR. TAYLOR: Same objection.

20 THE WITNESS: Yeah. As I said prior,  
21 Dollar General always aimed to be a hundred  
22 percent in pricing, and that's always something  
23 that we talked about.

24 BY MR. EDWARDS:

25 Q. Yeah. But that's not what this says. It

1 says, "Your customers expect accurate pricing at  
2 the register." What is your basis for -- for  
3 saying that "your customers expect accurate  
4 pricing at the register"?

5 MR. TAYLOR: Objection. Form. You  
6 can answer.

7 THE WITNESS: Again, I don't believe  
8 that I wrote this e-mail. So I'm not exactly sure  
9 what that means. My interpretation of it was that  
10 we held ourself to a very high standard at Dollar  
11 General to ensure all prices were always a hundred  
12 percent.

13 BY MR. EDWARDS:

14 Q. Do you think it's unreasonable for Dollar  
15 General customers to expect accurate pricing at  
16 the register?

17 MR. TAYLOR: Objection. Form. You  
18 can answer.

19 THE WITNESS: I don't know if I would  
20 use the word "unreasonable." Again, Dollar  
21 General always strove to be a hundred percent with  
22 price accuracy.

23 BY MR. EDWARDS:

24 Q. I -- I appreciate that, but I'm not asking  
25 you what -- anything about what Dollar General



1 strove to accomplish or strives to accomplish.

2 I'm asking you about what consumers  
3 expect. And -- and the sentence in the e-mail,  
4 which purports to come from you and Jim Sullivan,  
5 states, as you read, "Our customers expect  
6 accurate pricing." Sitting here today, do you  
7 know whether Dollar General customers actually  
8 expect accurate pricing at the register?

9 MR. TAYLOR: Objection. Form. You  
10 can answer.

11 THE WITNESS: I can't speak to what  
12 Dollar General customers expect.

13 BY MR. EDWARDS:

14 Q. Right. So this -- this statement may be  
15 false, that -- this statement that Dollar General  
16 customers expect accurate pricing at the register?

17 You have no idea whether that's a true  
18 statement?

19 MR. TAYLOR: Objection. Form. You  
20 can answer.

21 THE WITNESS: Again, I'm not the  
22 expert on what Dollar General customers think. So  
23 I couldn't answer that question.

24 BY MR. EDWARDS:

25 Q. Right. Do you know if this statement --

1       you -- you say you don't recall if it came from  
2       you. It could have come from Jim?

3       A.       Again, I -- I'm not sure where the --  
4       where it originated from. I can't really speak to  
5       where this came from.

6       Q.       Right. You told me that you're a shopper.  
7       Do you personally expect accurate pricing at the  
8       register when you shop?

9               MR. TAYLOR: Objection. Form. You  
10      can answer.

11             THE WITNESS: I guess I really never  
12      thought about that.

13      BY MR. EDWARDS:

14      Q.       Okay. So you don't know? I mean, you can  
15      think about it now. You don't know whether you  
16      expect accurate pricing at the register when you  
17      shop?

18             MR. TAYLOR: Objection. Form.

19             THE WITNESS: I would expect the  
20      price to be accurate. And if not, I would bring  
21      it up with the cashier at point of sale.

22      BY MR. EDWARDS:

23      Q.       What if you didn't notice it at the point  
24      of sale? Would that be -- would that be -- would  
25      that bother you?

1 MR. TAYLOR: Objection. Form.

2 THE WITNESS: I wouldn't say it would  
3 bother me. I would probably bring it up on my  
4 next shopping trip to that store. It's happened  
5 to me before.

6 BY MR. EDWARDS:

7 Q. All right. Possible that it may bother  
8 someone with a limited income more than -- than  
9 yourself --

10 MR. TAYLOR: Objection.

11 BY MR. EDWARDS:

12 Q. -- if the prices on the shelf don't match  
13 up to higher prices at the register?

14 MR. TAYLOR: Objection. Form.

15 BY MR. EDWARDS:

16 Q. Is that possible?

17 MR. TAYLOR: Objection. Form.

18 THE WITNESS: Again, I really can't  
19 comment on what a customer would think. I -- I  
20 don't know.

21 BY MR. EDWARDS:

22 Q. Okay. And you can't comment at all on  
23 whether customers expect accurate pricing at the  
24 register in Dollar General stores?

25 MR. TAYLOR: Objection. Form.

1 THE WITNESS: Again, I can't speak  
2 for Dollar General customers.

3 BY MR. EDWARDS:

4 Q. Okay. Do you -- do you agree that Dollar  
5 General customers have the right to expect that if  
6 they see a certain price on the shelf for a  
7 product, that's the product -- that's the price  
8 they should pay at the register?

9 MR. TAYLOR: Objection. Form. You  
10 can answer.

11 THE WITNESS: Again, I really can't  
12 comment on like their right. Like that sounds  
13 like a legal thing. Like -- that's for like the  
14 legal department. I -- I was in charge of like  
15 execution.

16 BY MR. EDWARDS:

17 Q. Right. So would you agree that if a  
18 Dollar General customer sees a jug of milk labeled  
19 at \$4, gets it to the register and it's \$5, that  
20 label on the shelf, that was inaccurate? Would  
21 you agree with that?

22 MR. TAYLOR: Objection. Form.

23 THE WITNESS: Yes. And that would  
24 have been brought to the attention of the cashier,  
25 and it would have been fixed immediately.

1 BY MR. EDWARDS:

2 Q. Well, you don't know that because you  
3 don't know if the customer knew that, noticed it,  
4 at the time they checked out, right?

5 A. Again, if they had noticed it, we would  
6 have fixed it on the spot.

7 Q. Understood. But you don't know that every  
8 customer is going to notice every pricing  
9 discrepancy at the point of sale, do you?

10 MR. TAYLOR: Objection. Form. You  
11 can answer.

12 THE WITNESS: Yeah. As I said  
13 before, I can't speak to what Dollar General --

14 BY MR. EDWARDS:

15 Q. Okay.

16 A. - customers would --

17 Q. And -- and my question, though -- is it  
18 fair for a consumer to expect that the prices on  
19 the shelf match up with the prices at the  
20 register?

21 MR. TAYLOR: Objection. Form.

22 THE WITNESS: I -- I don't know if  
23 I'd use the word "fair," but it was our  
24 expectation of ourselves to make sure that the  
25 prices did match.

1 BY MR. EDWARDS:

2 Q. Right. Let me ask the question this way:  
3 I'll -- you don't like the word "fair." I'll try  
4 to rephrase it. Do you think it's unreasonable  
5 for a customer of Dollar General to expect that  
6 the price on the register matches up with the  
7 price on the shelf? Do you feel that's  
8 unreasonable?

9 MR. TAYLOR: Objection. Form.  
10 Objection. Asked and answered. You can answer.

11 THE WITNESS: Again, I don't know if  
12 I'd use the word unreasonable. I can just tell  
13 you that Dollar General always aimed to be a  
14 hundred percent in pricing.

15 MR. EDWARDS: Okay. I'll mark this  
16 as Exhibit 6, please.

17 (Document marked Exhibit No. 6.)

18 THE WITNESS: Thank you.

19 BY MR. EDWARDS:

20 Q. Same drill. Take a -- take a look at this  
21 one and just give me a verbal cue when you've had  
22 a chance to review it, please. Okay?

23 A. Got it. Done.

24 Q. Okay. So I want to go to, I think, the  
25 first e-mail on this exhibit, which is on the last

1 page. It's Monday, May 22nd at 7:40 a.m. It's  
2 from Steve Sutherland. And you're the first  
3 e-mail recipient. Do you see that?

4 A. Yes.

5 Q. Okay. And the subject is, "Step Change."  
6 Do you see that?

7 A. Yes.

8 Q. And Steve starts his e-mail stating, "I  
9 need your thoughts on a few things that have  
10 stalled right now." What does it mean when things  
11 stall?

12 MR. TAYLOR: Objection. Form. You  
13 can answer.

14 THE WITNESS: I believe he meant  
15 slowed down.

16 BY MR. EDWARDS:

17 Q. Okay. And this is in -- in May of 2023  
18 after a number of items had been implemented to  
19 address pricing issues throughout 2022 and then in  
20 the beginning of 2023, correct?

21 MR. TAYLOR: Objection. Form. You  
22 can answer.

23 THE WITNESS: I believe this e-mail  
24 was about compliance in general and speaks to a  
25 lot of things around expired product.

1 BY MR. EDWARDS:

2 Q. Understood. I think we're missing each  
3 other. I'm -- I'm not asking you about the  
4 subject of his e-mail yet. I'm asking you about  
5 the date. The date is May 22, 2023, correct?

6 A. Correct.

7 Q. And May -- and May of 2023 is subsequent  
8 to or after many of -- of the price accuracy steps  
9 had already taken place and implemented, the  
10 things that we talked about earlier, which began  
11 in 2022 and into the beginning of 2023? That's  
12 correct?

13 MR. TAYLOR: Objection. Form. You  
14 can answer.

15 BY MR. EDWARDS:

16 Q. Just establishing that.

17 A. Yes. The pricing issues, the measures, to  
18 combat and make sure we were accurate were ongoing  
19 every month.

20 Q. Okay. What are NOV's?

21 A. Notice of violation.

22 Q. Okay. Is that a failed government audit?

23 A. Yes. I believe so.

24 Q. Okay. So by May, according to this e-mail  
25 from Steve Sunderland, and his third bullet point,



1 by May of 2023, the notice of violations or failed  
2 governmental audits did not appear to be getting  
3 better; is that correct?

4 MR. TAYLOR: Objection. Form. You  
5 can answer.

6 THE WITNESS: That's what it says  
7 here. Yes.

8 BY MR. EDWARDS:

9 Q. Okay. Do you see the note under "Pricing  
10 Compliance"?

11 A. Yes.

12 Q. It states, "All of these are areas that  
13 Super Tuesday can/should impact, but I'm  
14 uncomfortable that we don't appear to be moving  
15 any of these right now." What is Steve indicating  
16 there?

17 MR. TAYLOR: Objection. Form. You  
18 can answer.

19 THE WITNESS: Well, I don't really  
20 know what Steve was thinking when he wrote that  
21 specifically or what he was referring to, but I  
22 can infer that he was speaking to the damage rate.

23 BY MR. EDWARDS:

24 Q. The damage rate. He's not talking about  
25 pricing compliance here?

1 A. I believe he's talking about the damage  
2 rate.

3 Q. Right. Even though this note is under the  
4 bullet point "Pricing Compliance"?

5 MR. TAYLOR: Objection. Form.  
6 Objection. Mischaracterizes the e-mail. You can  
7 answer.

8 THE WITNESS: Yeah. I believe the  
9 note is speaking about the damage rate, which is  
10 the number one thing right -- that he mentions and  
11 is the content of the majority of this e-mail.

12 BY MR. EDWARDS:

13 Q. Did Super Tuesday have to do with damage  
14 rate or pricing compliance?

15 A. It was regulatory compliance. There was  
16 many things that it encompassed, not just pricing.

17 Q. Okay. So when he said -- who -- who is  
18 Amelia?

19 A. Amelia was our vice president, and she  
20 worked in the asset protection area.

21 Q. Okay. So you think the note only  
22 references damages -- damage rate, correct?

23 A. Again, Steve wrote the note. So I can't  
24 really speak to what he was thinking when he wrote  
25 it. But reading this, I would think that when

1 he's talking about areas that don't appear to be  
2 moving right now, is he's specifically speaking  
3 about the damage rate and Steritech because those  
4 two would go hand in hand.

5 Q. Okay. Even though the note begins with  
6 "all of these areas" -- the three bullet points  
7 above, one of which is pricing compliance, and his  
8 note starts with "all of those areas that Super  
9 Tuesday can/should impact," you believe that he's  
10 not referring in this note to pricing compliance?

11 MR. TAYLOR: Objection. Form. You  
12 can answer.

13 THE WITNESS: Yeah. Again, I don't  
14 know what he was specifically speaking to, but I  
15 believe based on reading through this e-mail that  
16 it was -- a lot of this was around damage rate and  
17 Steritech failed audits.

18 BY MR. EDWARDS:

19 Q. Well, the bullet point about pricing  
20 compliance is not about Steritech failed audits,  
21 correct?

22 A. That is correct.

23 Q. It's about failed government audits,  
24 right?

25 A. That's what it says here. Yes.

1 Q. Yeah. Do you see the second line under --  
2 under "Note"? It says, "Amelia, you and your team  
3 have to narrow the root cause and Connie, Jim,  
4 Aaron need you to lead the charge"?

5 A. Yes.

6 Q. List for me -- and -- and I understand  
7 you -- you may not feel like this e-mail about  
8 root cause relates to pricing. That might be your  
9 opinion.

10 But putting that aside for a second, can  
11 you list for me the root causes -- and I asked you  
12 about this earlier, and you gave me two of them, I  
13 think, a consumer issue and also the  
14 implementation of lots of price changes.

15 But I'd -- I'd like for you to make me a  
16 complete list of all of the root causes that  
17 you're aware of behind the pricing accuracy issues  
18 in these failed government audits.

19 MR. TAYLOR: Objection. Form.  
20 Objection. Asked and answered. And I object to  
21 your characterization and commentary in the  
22 lead-up of your very long question about -- that's  
23 your opinion.

24 MR. EDWARDS: It --

25 MR. TAYLOR: You can answer.

1 MR. EDWARDS: It was -- it was a long  
2 question. I'll rephrase it.

3 BY MR. EDWARDS:

4 Q. List -- give me a complete list of every  
5 root cause you're aware of for the pricing  
6 inaccuracy issues we've been discussing.

7 MR. TAYLOR: Objection. Form.  
8 Objection. Asked and answered. You can answer.

9 THE WITNESS: I -- I don't believe I  
10 could do that. I mean, that's not my area of  
11 expertise. So I couldn't give you a comprehensive  
12 list of why price accuracy issues would occur.  
13 Again, I was in charge of execution.

14 BY MR. EDWARDS:

15 Q. And -- and I'm just asking for the root  
16 causes that you are aware of.

17 A. And I shared those. Yes.

18 Q. Just the two? One is the consumer moving  
19 labels and the other is lots of price changes  
20 during 2022?

21 A. Correct.

22 Q. Those are the only two root causes for  
23 this pricing inaccuracy issue that you're aware  
24 of?

25 MR. TAYLOR: Objection. Form.

1           Objection. Misstates testimony. You can answer.

2                   THE WITNESS: Again, I'm not the  
3           expert around compliance. So I really couldn't  
4           speak to this.

5           BY MR. EDWARDS:

6           Q.       Okay. But you're not aware of -- I -- I  
7           just want to make sure there's no other root  
8           causes you're aware of that you're not telling me  
9           about; is that correct?

10          A.       There is no other root causes that I'm  
11          aware of.

12                   MR. EDWARDS: Okay. Go ahead and  
13          mark Exhibit 7, please.

14                   (Document marked Exhibit No. 7.)

15                   THE WITNESS: Thank you.

16                   MR. EDWARDS: And let's go ahead and  
17          take a quick break. We're back at the top of the  
18          hour. You can spend as much time as you want  
19          looking at that, but let's take -- let's take  
20          about five minutes.

21                   THE VIDEOGRAPHER: Okay. We're going  
22          off the record. The time is 11:59 a.m.

23                   (Recess, 11:59 to 12:10 p.m.)

24                   THE VIDEOGRAPHER: We are returning  
25          to the record. The time is 12:10 p.m.

1 BY MR. EDWARDS:

2 Q. All right. Ms. Droge, we've had a break,  
3 and you've had an opportunity to look through the  
4 e-mail we've marked Exhibit 7, correct?

5 A. Yes.

6 Q. Okay. The subject of these e-mails appear  
7 to be Pricing -- Price Watch States Overview or  
8 Pricing Watch States Overview; is that correct?

9 MR. TAYLOR: Bless you.

10 MR. EDWARDS: Bless you.

11 THE WITNESS: Excuse me. Thank you.

12 And, yes, that is the correct title.

13 BY MR. EDWARDS:

14 Q. Okay. And then there's an attachment  
15 which says, "Pricing Watch States Overview" and it  
16 looks like a PowerPoint. Do you see that?

17 MR. TAYLOR: Well, hold on. Just --  
18 just to be clear, the attachment is not part of  
19 this. But you're saying there's a reference to an  
20 attachment?

21 MR. EDWARDS: Correct. Yeah. I  
22 don't -- I don't have the attachment. Is --  
23 I'm -- I'm just asking her if -- if the PPTX  
24 refers to what appears to be a PowerPoint entitled  
25 "Pricing Watch States Overview."

1 THE WITNESS: Yes. It appears to be.

2 BY MR. EDWARDS:

3 Q. Okay. What is a Pricing Watch States  
4 Overview? Do you know?

5 A. There was a pricing watch. States --  
6 states -- kind of -- it was a very dynamic list.  
7 States came on and off from a focus perspective  
8 depending on performance. Again, I wasn't close  
9 enough to it. This was not my area of expertise.  
10 But that's my understanding of it.

11 Q. So the Pricing Watch States Overview would  
12 be a list of states that were having issues with  
13 pricing accuracy?

14 MR. TAYLOR: Objection. Form. You  
15 can answer.

16 THE WITNESS: Possibly. Something  
17 might have happened with -- something could have  
18 been -- a singular store, and it would have been a  
19 focus for us to make sure that we were a hundred  
20 percent. But, again, I -- this wasn't something I  
21 managed. So I wasn't close enough to it.

22 BY MR. EDWARDS:

23 Q. Okay. So it appears that you sent an  
24 e-mail to -- to Mia on January 31st at 8:32,  
25 correct?



1 MR. TAYLOR: Sorry, Adam. One thing  
2 I just want to point out I just noticed --

3 MR. EDWARDS: I know. The -- the  
4 dates -- yeah -- thing.

5 MR. TAYLOR: I'm just going to put  
6 for the record -- I know you know. So -- and  
7 we've identified this and talked about this  
8 before. There is a date issue with some of these  
9 e-mails in here. The top -- the -- June 14, 2023  
10 appears to be incorrect, and it's a known issue  
11 that we're working on.

12 MR. EDWARDS: Okay. Yeah. I -- I  
13 think we've established -- and I'll -- I'll put it  
14 on the record. This e-mail from you, Connie,  
15 January 31, 2023 at 8:32 p.m., based on the  
16 documents produced by Dollar General, appears to  
17 have been responded to by Mia on 6/14, but I think  
18 both parties agree that there is some funky issue  
19 with how they're -- how they're producing the  
20 documents, which is turning a lot of e-mails, the  
21 last one of which, to 6/14/2023.

22 BY MR. EDWARDS:

23 Q. It's probably not fair to Mia to -- to  
24 think that she waited many months to respond to  
25 your e-mail, correct?

1 A. Yes.

2 Q. Okay. She probably would have responded  
3 to that the same day or -- or shortly thereafter,  
4 right?

5 A. Yes.

6 Q. Okay. So we know that the subject is  
7 Pricing Watch States Overview. And it appears  
8 that Mia references an after meeting, in quote.  
9 "Meeting with the DVPs is needed." What -- what  
10 does that mean?

11 A. The DVPs would be the division vice  
12 presidents.

13 Q. Okay. So she's inviting you to this  
14 meeting with the DVPs?

15 A. I don't really recall this, but it does  
16 say here, "An after meeting with the DVPs is  
17 needed."

18 Q. All right. And then she proposes a list  
19 of bullet points, which appears to be her thoughts  
20 on a set of criteria which should be required and  
21 sustained, to address pricing issues, correct?

22 MR. TAYLOR: Objection. Form. You  
23 can answer.

24 THE WITNESS: That's what it says  
25 here.

1 BY MR. EDWARDS:

2 Q. Okay. And that would include "Two HHTs  
3 every store," correct?

4 A. Yes. It does say that here.

5 Q. What does that mean?

6 A. An HHT is a handheld device.

7 Q. Okay. Is that a device where you can  
8 check prices?

9 A. You can check prices, inventory levels.  
10 There's lots of data that that handheld device was  
11 used for.

12 Q. Okay. And so at the beginning of 2023,  
13 was it the case that many stores did not have two  
14 handheld devices?

15 MR. TAYLOR: Objection. Form. You  
16 can answer.

17 THE WITNESS: Yeah. I -- I don't  
18 recall that. So I couldn't really speak to the  
19 amount of equipment that each store had. I really  
20 don't know.

21 BY MR. EDWARDS:

22 Q. Okay. But it --

23 A. It's my understanding that every store had  
24 equipment that was working. I just don't know how  
25 many devices. And, you know, some stores might

1 have had upwards of five or six handheld devices.

2 I -- I just couldn't give you an accurate number

3 for each store.

4 Q. Okay. And then she also mentions "a

5 working printer every store," correct?

6 A. Yes. That's what it says here.

7 Q. If there's not a working printer in the

8 store, that -- that could cause a delay in

9 printing out new prices when price change -- price

10 changes come down and that could lead to pricing

11 accuracy issues with the register, right?

12 MR. TAYLOR: Objection. Objection.

13 Form. You can answer.

14 THE WITNESS: I think that is

15 incorrect. The direction would be if the printer

16 did stop working in the store, that the store

17 would go to their sister store and print their

18 labels.

19 BY MR. EDWARDS:

20 Q. Okay.

21 A. So there was a work-around.

22 Q. So why was Connie then recommending that

23 every store have a working printer?

24 A. Again --

25 MR. TAYLOR: Object -- objection.

1 Form. You can answer.

2 THE WITNESS: Again, Mia wrote this  
3 e-mail, and I --

4 BY MR. EDWARDS:

5 Q. I'm sorry. Why was Mia recommending that  
6 every store have a working printer?

7 A. I don't know that she was recommending it  
8 because every store's printer would be working.  
9 In the event that a store's printer was not  
10 working, they would just go to the nearby store  
11 and print their labels.

12 Q. What if there wasn't a nearby store?

13 A. I don't know that that was the case with  
14 20,000 Dollar General stores. I -- I couldn't  
15 speak to that --

16 Q. Right.

17 A. -- honestly. There was usually always a  
18 store nearby.

19 Q. Okay. So you don't know why she listed  
20 "working printer every store" as one of the  
21 consistent set of criteria that should be  
22 required/sustained to address the pricing accuracy  
23 issues?

24 MR. TAYLOR: Objection. Form. You  
25 can answer.

1 THE WITNESS: I don't know what she  
2 was meaning by that. My understanding is that all  
3 stores have working printers.

4 BY MR. EDWARDS:

5 Q. Okay. Did you ask her? Did you follow  
6 up? Hey, what do you mean by that?

7 A. I did not.

8 MR. TAYLOR: Objection. Form.

9 BY MR. EDWARDS:

10 Q. Okay. And then you'll see the -- the  
11 e-mail from you to her with the subject, "Pricing  
12 watch states overview has been redacted as  
13 nonresponsive." Do you see that?

14 A. Yes.

15 Q. And do you know what your e-mail related  
16 to that led Mia to respond?

17 A. I can't -- I don't recall.

18 Q. Okay. Have you seen the draft deck that  
19 she refers to in the January 30th e-mail here in  
20 Exhibit 7?

21 A. Again, I don't recall this. It's possible  
22 that I had seen it, but I really just don't  
23 recall.

24 Q. What is a draft deck in this context?

25 MR. TAYLOR: Objection. Form.

1 THE WITNESS: A draft would be like a  
2 preliminary presentation.

3 MR. EDWARDS: Okay.

4 THE WITNESS: There's like gnats in  
5 here.

6 MR. EDWARDS: Go ahead and mark  
7 Exhibit 8.

8 (Document marked Exhibit No. 8.)

9 MR. EDWARDS: It's a short one. So  
10 it should be quick to review.

11 THE WITNESS: Done.

12 BY MR. EDWARDS:

13 Q. And this is an e-mail from Mia and it  
14 states 6/14/2023. But, again, I think it's  
15 probably a bad date. But the subject is the same  
16 as the prior exhibit, Exhibit 8. It's Price Watch  
17 States Overview. And it says, "Attachment.  
18 Pricingwatchstatesoverview.pptx." Correct?

19 A. Yes. That's what it says here.

20 Q. Indicating that the attachment was a  
21 Pricing Watch States Overview PowerPoint?

22 A. That's what it says here. Yes.

23 Q. Okay. And that's an e-mail from Mia,  
24 who's not a lawyer, correct --

25 A. Correct.

1 Q. -- to you and Jim Sullivan, neither of  
2 which are -- are lawyers, are they?

3 A. I am not a lawyer.

4 Q. Okay.

5 A. I don't believe Jim is either.

6 Q. I think we established that Jim is not.  
7 Okay. And do you have any reason to believe that  
8 the -- that this e-mail would have been prepared  
9 by or at the request of counsel?

10 MR. TAYLOR: I'm going to object to  
11 that, and I'm going to object to form. I'm also  
12 going to object because I think this is getting  
13 into privilege, and I think it's inappropriate to  
14 attempt to, you know, get into this particular  
15 redaction of privilege on this particular  
16 document.

17 MR. EDWARDS: Yeah. I'm just asking  
18 her if she -- if -- if the -- if she knows if the  
19 content of this e-mail that was redacted was  
20 prepared at the request of counsel.

21 THE WITNESS: I don't know.

22 BY MR. EDWARDS:

23 Q. Do you know if the Pricing Watch States  
24 Overview PowerPoint was prepared at the direction  
25 of counsel?



1 MR. TAYLOR: I'm going to make the  
2 same objections, but you can answer.

3 THE WITNESS: I don't know.

4 BY MR. EDWARDS:

5 Q. Okay. Do you recall if at any time before  
6 you left in 2023, if you saw any documents that  
7 you understood to be prepared in anticipation of  
8 litigation or in anticipation of being sued over  
9 this pricing issue?

10 MR. TAYLOR: I'm going to object to  
11 form and I'm going to object to -- calls for a  
12 legal conclusion that this witness is not  
13 qualified to give an answer on. But if you're  
14 able to answer, you can answer.

15 THE WITNESS: I don't know.

16 BY MR. EDWARDS:

17 Q. Okay. I'll ask the question a little  
18 different. Do you -- and I'm not asking you about  
19 the content. I'm asking you if you saw any  
20 documents prepared by counsel related to this  
21 pricing inaccuracy issue we've been discussing  
22 before you left in 2022 or 2023?

23 MR. TAYLOR: Same objections.

24 THE WITNESS: I don't recall.

25 MR. EDWARDS: Go ahead and mark

1 Exhibit 9.

2 (Document marked Exhibit No. 9.)

3 THE WITNESS: Thank you.

4 MR. TAYLOR: And just for the record,  
5 the same date issue appears to be in this one as  
6 well.

7 MR. EDWARDS: And by "the same  
8 issue," you mean that the last e-mail in the  
9 string produced by Dollar General ends at  
10 6/14/2023?

11 MR. TAYLOR: Yes. I'm sorry. I  
12 should have been more precise. Yes.

13 MR. EDWARDS: Okay.

14 MR. TAYLOR: Trying use shorthand to  
15 be quicker, but yes. Sorry about --

16 MR. EDWARDS: Understood.

17 BY MR. EDWARDS:

18 Q. Okay. Same thing on the verbal cue when  
19 you're done, please.

20 A. Done.

21 Q. Okay. Before I ask you specifically about  
22 Exhibit 9, about the contents of Exhibit 9, Jim  
23 Sullivan, you described him earlier in a way that  
24 I can't recall. Did you describe him -- is he  
25 your counterpart?

1 A. Yes.

2 Q. Okay. So you're the vice president in  
3 charge of stores for the southern, which would  
4 have made him the vice president of stores for --  
5 the northern stores?

6 MR. TAYLOR: Objection. Form. You  
7 can answer.

8 THE WITNESS: The senior vice  
9 president for both of us, but yes.

10 BY MR. EDWARDS:

11 Q. Okay. So Jim Sullivan was -- Sullivan was  
12 the senior vice president for stores covering the  
13 north?

14 A. Yes.

15 Q. Okay. And this e-mail, which I'm going to  
16 assume was somewhere around February 14th of 2023  
17 even though that -- again, that last e-mail says  
18 6/14/2023. Is that -- are we on the same page  
19 there?

20 A. Yes.

21 Q. Okay. And that has an attachment, "2023  
22 Store Compliance Visit." Do you see that, a PDF?

23 A. Yes.

24 Q. That appears to be a draft deck for  
25 something called a Teams Live Event; is that

1 accurate?

2 A. Yes.

3 MR. TAYLOR: I -- I apologize. I'm  
4 not following you on the attachments. Up at the  
5 very top. Oh, okay. It looks like there's  
6 numerous attachments, just to be clear.

7 MR. EDWARDS: There are. I'm -- I'm  
8 asking her specifically about the 2023 store  
9 compliance visit draft.

10 MR. TAYLOR: Got it. Okay.

11 MR. EDWARDS: There is also -- I'll  
12 make the record here.

13 BY MR. EDWARDS:

14 Q. There is also -- appears to be an  
15 attachment entitled "2023 Accountability Process  
16 Flow," a PDF, correct?

17 A. Yes.

18 Q. A Field Leader Teams Live Event  
19 PowerPoint, correct?

20 A. Yes.

21 Q. A 2023 Quality Store Visit Draft 2,  
22 correct?

23 A. Yes.

24 Q. Okay. Do you recall if you attended a  
25 Teams Live Event in February of 2023?

1 A. I don't recall.

2 Q. Do you recall ever attending a Teams Live  
3 Event?

4 A. Yes.

5 Q. Okay. Was -- does that mean a -- is that  
6 a call using Microsoft Teams?

7 A. Yes.

8 Q. Okay. And using Microsoft Teams and a  
9 number of these similar pieces of software, the --  
10 the meetings can be recorded, correct?

11 MR. TAYLOR: Objection. Form. You  
12 can answer.

13 THE WITNESS: I'm not sure.

14 BY MR. EDWARDS:

15 Q. Okay. Did you ever while you worked for  
16 Dollar General have occasion where you couldn't  
17 attend the live event itself but watched the event  
18 or listened to the event on a recording?

19 A. Not to my recollection.

20 Q. Okay. So you don't know whether any of  
21 these Teams Live Events were recorded?

22 A. I -- I really don't know.

23 Q. You don't know one way or the other?

24 A. Huh-uh. That's correct.

25 Q. Okay. Who would know?

1           A.           I don't know because I didn't run the  
2           logistics for the meetings.

3                       MR. EDWARDS:   Okay.   All right.  
4           We'll mark Exhibit 10.

5                       (Document marked Exhibit No. 10.)

6           BY MR. EDWARDS:

7           Q.           And I'll tell you that this is a longer  
8           exhibit, but I'm only going to ask you about a  
9           single page.   Okay.   So while you're -- well, I'll  
10          wait.

11                      While you're welcome to review the entire  
12          document that we've marked Exhibit 10, I'm also  
13          happy to point you to the Bates number I'm going  
14          to ask you about, since this exhibit appears to  
15          contain a wide variety of subject matter?

16                      And, again, take as much time as you'd  
17          like to review, but the -- the page that I'm going  
18          to ask you about is 8550.   You'll see the Bates  
19          numbers at the -- at the bottom.   It says DG  
20          underscore, Wolf, underscore.   And then it has a  
21          list of numbers.   The page I'm going to ask you  
22          about is 8550.   It starts with "Compliance  
23          Excellence."

24          A.           I'm done reading this page.

25          Q.           Okay.   Is this Dollar General's Store

1 Operations Monthly IT Activity Review document  
2 something that you would regularly receive and --  
3 and take a look at?

4 MR. TAYLOR: Objection. Form. You  
5 can answer.

6 THE WITNESS: No.

7 BY MR. EDWARDS:

8 Q. Okay. All right. You're looking at me as  
9 if to say you've never seen a document like this  
10 before?

11 A. Yes. Yes. I don't know what this is.

12 Q. Okay. Well, let me just ask you about  
13 some specific things on Bates 8550 of Exhibit 10.

14 Under "Compliance Excellence," Number 2  
15 states, "Daily Camera Snapshot Report," dash, "New  
16 report created taking 16 camera daily snapshots in  
17 all stores by 7:00 a.m." do you have any  
18 knowledge or information at all related to these  
19 daily camera snapshot reports?

20 A. Never seen this report, but I'm assuming  
21 that this refers to a report that was sent to our  
22 district managers from CCTV, and it was images to  
23 check in on store standards and other things like  
24 that. And it was sent to them by 7:00 a.m.

25 Q. Okay. So there were -- there's actually

1 cameras in every Dollar General store?

2 MR. TAYLOR: Objection. Form. You  
3 can answer.

4 THE WITNESS: I believe so.

5 BY MR. EDWARDS:

6 Q. Okay. And according to this, it looks  
7 like 16 camera -- it looks like there were 16  
8 cameras. Does that sound right?

9 A. Or possibly 16 photos. I'm not sure.  
10 Again, I -- I don't --

11 Q. Okay.

12 A. -- really know.

13 Q. Yeah. It says, "New report created taking  
14 16 camera daily snapshot in all stores by  
15 7:00 a.m." But you don't know whether that's 16  
16 photos or 16 cameras?

17 MR. TAYLOR: Objection. Form. You  
18 can answer.

19 THE WITNESS: Correct. Yes.

20 BY MR. EDWARDS:

21 Q. And do you have any idea what the purpose  
22 of taking those daily snapshots was or is?

23 MR. TAYLOR: Objection. Form. You  
24 can answer.

25 THE WITNESS: Again, I'm not a



1       hundred percent sure. I know that district  
2       managers use the look-in to understand store  
3       standards, other things, make sure stores were  
4       open on time. I don't know all the reasons that  
5       this was being done.

6       BY MR. EDWARDS:

7       Q.       Right. It -- it appears from this that  
8       the daily camera snapshot reports would be of  
9       assistance in helping Dollar General assess  
10      whether compliance was being met.

11               MR. TAYLOR: Objection. Form. You  
12      can answer.

13               THE WITNESS: I don't know.

14               MR. EDWARDS: Okay. Go ahead and  
15      mark Exhibit 11.

16               (Document marked Exhibit No. 11.)

17               THE WITNESS: Thank you.

18      BY MR. EDWARDS:

19      Q.       Same drill. Tell me when you're done  
20      looking at it, please.

21      A.       Done.

22      Q.       All right. It looks like this is an  
23      e-mail -- I'm going to skip below the 6/29 e-mail  
24      at the very top, and go down to the e-mail from  
25      Mia to a number of individuals, including

1       yourself, with the subject, "Compliance, Tuesday,  
2       July 4th." Do you see that e-mail?

3       A.       Yes.

4       Q.       Okay. The -- the final sentence of that  
5       e-mail from Mia states, "Our customers count on us  
6       for accurate pricing, fresh product and safe --  
7       and safe store every day." As to the statement  
8       "Dollar General customers count on us for accurate  
9       pricing," do you agree with Mia's statement?

10               MR. TAYLOR: Objection. Form. You  
11       can answer.

12               THE WITNESS: I really don't have an  
13       opinion on what customers are relying on Dollar  
14       General for.

15       BY MR. EDWARDS:

16       Q.       Okay. So you just don't -- don't know one  
17       way or the other whether customers do, in fact,  
18       count on Dollar General for accurate pricing?

19       A.       Well, I can't speak on behalf of all  
20       customers. But, sure, I believe that some  
21       customers may count on Dollar General for pricing.

22       Q.       Accurate pricing?

23       A.       Accurate pricing.

24       Q.       Okay. The e-mail that proceeds that is  
25       from Jim Sullivan to Mia and to yourself. It

1 states, "Mia, I'm worried about July 4th  
2 Compliance Tuesday execution." You told me  
3 earlier that you're primary -- primarily  
4 interested in execution, right?

5 A. Yes.

6 Q. Do you -- did you talk with Jim about  
7 being concerned or worried about July 4th  
8 Compliance Tuesday execution --

9 MR. TAYLOR: Objection. Form.

10 BY MR. EDWARDS:

11 Q. -- in June of 2023?

12 MR. TAYLOR: You can answer.

13 THE WITNESS: I don't recall.

14 BY MR. EDWARDS:

15 Q. Okay. So you have no idea why Jim  
16 Sullivan, your -- your counterpart to the north,  
17 would have been worried about July 4th Compliance  
18 Tuesday execution?

19 MR. TAYLOR: Objection. Form. You  
20 can answer.

21 THE WITNESS: Yeah. I don't know  
22 what Jim was inferring when he wrote this e-mail.

23 BY MR. EDWARDS:

24 Q. Okay. Did you ask him what he meant?

25 A. I don't recall.

1 MR. EDWARDS: Okay. All right. If  
2 you guys will give me about ten minutes, I'm going  
3 to look through my notes, and then we'll wrap  
4 things up.

5 THE VIDEOGRAPHER: We are going off  
6 the record. The time is 12:39 p.m.

7 (Recess, 12:39 to 12:52 p.m.)

8 THE VIDEOGRAPHER: We are returning  
9 to the record. The time is 12:52 p.m.

10 MR. EDWARDS: Ms. Droge, thank you  
11 very much. I have no more questions.

12 MR. TAYLOR: We don't have any  
13 questions. We'll read and sign.

14 MR. EDWARDS: Okay.

15 THE VIDEOGRAPHER: All right. That  
16 concludes today's testimony. We're off the  
17 record. The time is 12:53 p.m.

18 (Off the record at 12:53 p.m.)  
19  
20  
21  
22  
23  
24  
25

STATE OF TENNESSEE                     )  
   ) SS

COUNTY OF DAVIDSON )

I, Rhonda S. Nicholson, a Licensed Stenographic Court Reporter and Notary Public within and for the State at Large, do hereby certify that the foregoing was taken at the place set forth in the caption thereof; that the proceedings were stenographically reported by me in shorthand; and that the foregoing pages constitute a true and correct transcription of said proceedings to the best of my ability.

I further certify that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the outcome of this action.

WITNESS MY SIGNATURE this 14th day of  
Feb: 1964

Feb 1 Rhonda Nicholson

Rhonda S. Nicholson, RPR, LCR #160

LCR Expires: 06/30/2024

Georgia CSR 5619-8878-0687-3600

Notary Public at Large,

State of Tennessee

My Commission Expires:

03/02/2026

## E R R A T A

I, CONNIE DROGE, having read the foregoing deposition taken January 31, 2024, do hereby certify said testimony is a true and accurate transcript, with the following changes, if any:

PAGE LINE

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CONNIE DROGE

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Notary Public

My commission expires:

---

1 R. TRENT TAYLOR, ESQ.

2 Rtaylor@mcguirewoods.com

3 February 14, 2024

4 RE: Wolf, Joseph, Et Al. v. Dollar General Corporation, Et Al.

5 1/31/2024, Connie Droge (#6426432)

6 The above-referenced transcript is available for  
7 review.

8 Within the applicable timeframe, the witness should  
9 read the testimony to verify its accuracy. If there are  
10 any changes, the witness should note those with the  
11 reason, on the attached Errata Sheet.

12 The witness should sign the Acknowledgment of  
13 Deponent and Errata and return to the deposing attorney.  
14 Copies should be sent to all counsel, and to Veritext at  
15 transcripts-fl@veritext.com.

16 Return completed errata within 30 days from  
17 receipt of testimony.

18 If the witness fails to do so within the time  
19 allotted, the transcript may be used as if signed.

20  
21  
22 Yours,

23 Veritext Legal Solutions  
24  
25

[&amp; - 6/14/2023]

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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